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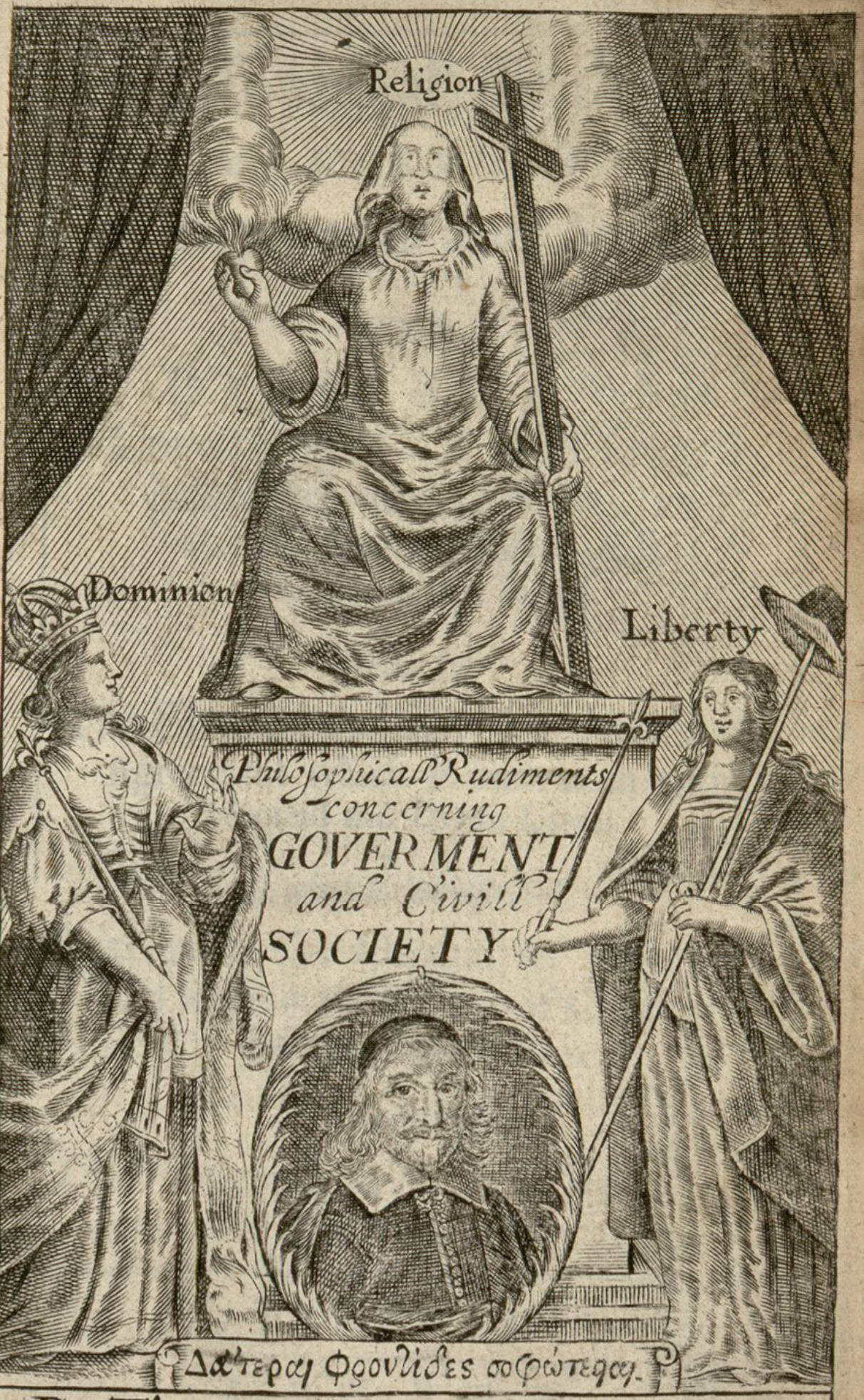

Philosophicall Rudiments concerning GOVERMENT and Civill SOCIETY

Δύο τέρατα φοβούμεθα σοφώτερα.

By Thomas Hobbes of Malmesbury

Ro: Vaughan sculp:

Philosophicall Rudiments
CONCERNING
Government and *Society*.

OR,

A DISSERTATION
Concerning *MAN* in his severall habitudes and respects, as the Member of a Society, first Secular, and then Sacred.

Containing

The Elements of Civill Politie in the Agreement which it hath both with Naturall and Divine Lawes.

In which is demonstrated,

Both what the Origine of Justice is, and wherein the Essence of Christian Religion doth consist.

Together with

The Nature, Limits, and Qualifications both of Regiment and Subjection.

By THO: HOBBES.

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TO THE

Right Honourable, *WILLIAM*, Earle of *Devonshire*,

My most honoured Lord.

May it please your Lordship,

IT was the speech of the Roman people (to whom the name of *King* had been render'd odious, as well by the tyrannie of the *Tarquins*, as by the *Genius* and Decretals of that City) 'Twas the speech I say of the Publick, however pronounced from a private mouth, (if yet *Cato* the Censor were no more

then ſuch) *That all Kings are to be reckon'd amongſt ravenous Beaſts.* But what a Beaſt of Prey was the Roman people, whilſt with its conquering Eagles it erected its proud Trophees ſo far and wide over the world, bringing the Africans, the Aſiaticks, the Macedonians, and the Achæans, with many other deſpoyled Nations, into a ſpecious bondage, with the pretence of preferring them to be Denizons of *Rome?* So that if *Cato*'s ſaying were a wiſe one, 'twas every whit as wiſe that of *Pontius Teleſinus*; who flying about with open mouth through all the Companies of his Army, (in that famous encounter which he had with *Sylla*) cryed out, That *Rome her ſelfe, as well as Sylla, was to be raz'd*; for that there would alwayes be Wolves and Deprædatours of their Liberty,

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unleſſe the Forreſt that lodg'd them were grubb'd up by the roots. To ſpeak impartially, both ſayings are very true; *That Man to Man is a kind of God; and that Man to Man is an arrant Wolfe:* The firſt is true, if we compare Citizens amongſt themſelves; and the ſecond, if we compare Cities. In the one, there's ſome analogie of ſimilitude with the Deity, to wit, Juſtice and Charity, the twin-ſiſters of peace: But in the other, Good men muſt defend themſelves by taking to them for a Sanctuary the two daughters of War, Deceipt and Violence: that is in plaine termes a meer brutall Rapacity: which although men object to one another as a reproach, by an inbred cuſtome which they have of beholding their own actions in the perſons of other men, wherein, as in a Mirroir, all

things on the left ſide appeare to be on the right, & all things on the right ſide to be as plainly on the left; yet the naturall right of Preſervation which we all receive from the uncontroulable Dictates of Neceſſity, will not admit it to be a Vice, though it confeſſe it to be an Unhappineſſe. Now that with *Cato* himſelfe, (a Perſon of ſo great a renowne for wiſdome) Animoſity ſhould ſo prevaile inſtead of Judgement, and Partiality inſtead of Reaſon, that the very ſame thing which he thought equall in his Popular State, he ſhould cenſure as unjuſt in a Monarchical, other men perhaps may have leiſure to admire. But I have been long ſince of this opinion, That there was never yet any more-then-vulgar-prudence that had the luck of being acceptable to the Giddy

Peo-

People; but either it hath not been understood, or else having been so, hath been levell'd and cryed downe. The more eminent Actions and Apothegms both of the Greeks and Romans have been indebted for their Eulogies not so much to the *Reason*, as to the *Greatnesse* of them, and very many times to that prosperous usurpation (with which our Histories doe so mutually upbraid each other) which as a conquering Torrent carryes all before it, as well publick Agents as publick Actions, in the streame of Time. Wisdome properly so call'd is nothing else but this, *The perfect knowledge of the Truth in all matters whatsoever.* Which being derived from the Registers and Records of *Things*, and that as 'twere through the Conduit of certain definite Appellations, cannot

poſſibly be the work of a ſuddaine Acuteneſſe, but of a well-ballanc'd Reaſon, which by the *Compendium* of a word, we call *Philoſophy*. For by this it is, that a way is open'd to us, in which we travell from the contemplation of particular things to the Inference or reſult of univerſall Actions. Now look how many ſorts of things there are which properly fall within the cognizance of humane reaſon, into ſo many branches does the tree of Philoſophy divide it ſelfe. And from the diverſity of the matter about which they are converſant, there hath been given to thoſe branches a diverſity of Names too: For treating of Figures, tis call'd *Geometry*; of motion, *Phyſick*; of naturall right, *Moralls*; put all together, and they make up *Philoſophy*. Juſt as the Britiſh, the Atlantick, and the Indian

Seas,

Seas, being diverſly chriſten'd from the diverſity of their ſhoares, doe notwithſtanding all together make up *The Ocean.* And truly the Geometricians have very admirably perform'd their part. For whatſoever aſſiſtance doth accrew to the life of man, whether from the obſervation of the Heavens, or from the deſcription of the Earth, from the notation of Times, or from the remoteſt Experiments of Navigation; Finally, whatſoever th ngs they are in which this preſent Age doth differ from the rude ſimpleneſſe of Antiquity, we muſt acknowledge to be a debt which we owe meerly to Geometry. If the Morall Philoſophers had as happily diſcharg'd their dury, I know not what could have been added by humane Induſtry to the completion of that happineſſe, which is con-

conſiſtent with humane life. For were the nature of humane Actions as diſtinctly knowne, as the nature of *Quantity* in Geometricall Figures, the ſtrength of *Avarice* and *Ambition*, which is ſuſtained by the erroneous opinions of the Vulgar, as touching the nature of *Right* and *Wrong*, would preſently faint and languiſh; And Mankinde ſhould enjoy ſuch an Immortall Peace, that (unleſſe it were for habitation, on ſuppoſition that the Earth ſhould grow too narrow for her Inhabitants) there would hardly be left any pretẽce for war. But now on the contrary, that neither the Sword nor the Pen ſhould be allowed any *Ceſſation*; That the knowledge of the Law of Nature ſhould loſe its growth, not advancing a whit beyond its antient ſtature; that there ſhould ſtill be ſuch ſiding with the ſe-

verall factions of Philoſophers, that the very ſame Action ſhould bee decryed by ſome, and as much elevated by others; that the very ſame man ſhould at ſeverall times embrace his ſeverall opinions, and eſteem his own Actions farre otherwiſe in himſelfe then he does in others; Theſe I ſay are ſo many ſignes, ſo many manifeſt Arguments, that what hath hitherto been written by Morall Philoſophers, hath not made any progreſs in the knowledge of the Truth; but yet have took with the world, not ſo much by giving any light to the underſtanding, as entertainment to the Affections, whileſt by the ſucceſſefull Rhetorications of their ſpeech they have confirmed them in their raſhly received opinions. So that this part of Philoſophy hath ſuffered the ſame *deſtiny* with the

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publick Wayes, which lye open to all passengers to traverse up and down or *the same lot with high wayes and open streets*; Some for divertisement, and some for businesse; so that what with the Impertinencies of some, and the Altercations of others, those wayes have never a seeds-time, and therefore yield never a harvest. The onely reason of which unluckines should seem to be this; That amongst all the writers of that part of Philosophy, there is not one that hath used an idoneous Principle of Tractation. For we may not, as in a Circle, begin the handling of a Science from what point we please. There is a certain Clue of Reason, whose beginning is in the dark, but by the benefit of whose Conduct, wee are led as 'twere by the hand into the cleareſt light, so that the Prin-

ciple

ciple of Tractation is to be taken from that Darkneſſe, and then the light to be carried thither for the irradiating its doubts. As often therefore as any writer, doth either weakly forſake that Clue, or wilfully cut it aſunder, he deſcribes the Footſteps, not of his progreſſe in *Science*, but of his wandrings from it. And upon this it was, that when I applyed my Thoughts to the Inveſtigation of Naturall Juſtice, I was preſently advertiſed from the very word *Juſtice*, (wich ſignifies a ſteady Will of giving every one his *Owne*) that my firſt enquiry was to be, from whence it proceeded, that any man ſhould call any thing rather his *Owne*, then *another mans*. And when I found that this proceeded not from Nature, but Conſent, (for what Nature at firſt laid forth in common, men did afterwards

terwards diſtribute into ſeverall *Impropriations*, I was conducted from thence to another Inquiry, namely to what end, and upon what Impulſives, when all was equally every mans in common, men did rather think it fitting, that every man ſhould have his Incloſure; And I found the reaſon was, that from a Community of Goods, there muſt needs ariſe Contention whoſe enjoyment ſhould be greateſt, and from that Contention all kind of Calamities muſt unavoydably enſue, which by the inſtinct of Nature, every man is taught to ſhun. Having therefore thus arrived at two maximes of humane Nature, the one ariſing from the *concupiſcible* part, which deſires to appropriate to it ſelfe the uſe of thoſe things in which all others have a joynt intereſt, the other proceeding

ceeding from the *rationall*, which teaches every man to fly a contre-naturall Diſſolution, as the greateſt miſchiefe that can arrive to Nature; Which Principles being laid down, I ſeem from them to have demonſtrated by a moſt evident connexion, in this little work of mine, firſt the abſolute neceſſity of Leagues and Contracts, and thence the rudiments both of morall and of civill Prudence. That Appendage which is added concerning the Regiment of God, hath been done with this intent, that the Dictates of God Almighty in the Law of nature, might not ſeem repugnant to the written Law, revealed to us in his word. I have alſo been very wary in the whole tenour of my diſcourſe, not to meddle with the civill Lawes of any particular nation whatſoever, That is to ſay, I

have

have avoyded coming a ſhore, which thoſe Times have ſo infeſted both with ſhelves, and Tempeſts. At what expence of time and induſtry I have beene in this ſcrutiny after Truth, I am not ignorant; but to what purpoſe, I know not. For being partiall Judges of our ſelves, we lay a partiall eſtimate upon our own productions. I therefore offer up this Book to your Lordſhips, not favour, but cenſure firſt, as having found by many experiments, that it is not the credit of the Author, nor the newneſſe of the work, nor yet the ornament of the ſtyle, but only the weight of Reaſon, which recommends any *Opinion* to your Lordſhips Favour and Approbation. If it fortune to pleaſe, that is to ſay, if it be ſound, if it be uſefull, if it be vulgar; I humbly offer it to your Lord-

ſhip

ſhip as both my Glory, and my Protection; But if in any thing I have erred, your Lordſhip will yet accept it as a Teſtimony of my Gratitude, for that the means of ſtudy which I enjoyed by your Lordſhips Goodneſſe, I have employed to the procurement of your Lordſhips Favour. The God of Heaven crown your Lordſhip with length of Dayes in this earthly Station, and in the heavenly *Jeruſalem*, with a crown of Glory.

Your Honours moſt humble, and moſt devoted Servant,

THO. HOBBS.

THE AUTHORS PREFACE TO THE READER.

READER, *I promiſe thee here ſuch things, which ordinarily promiſed, doe ſeeme to challenge the greateſt attention, and I lay them here before thine eyes, whether thou regard the dignity or profit of the matter treated of, or the right method of handling it, or the honeſt motive, and good advice to undertake it, or laſtly the moderation of the Authour. In this Book thou ſhalt finde briefly deſcribed the duties of men, Firſt as Men, then as Subjects,*

Laſtly,

Lastly, as Christians; under which duties are contained not only the elements of the Lawes of Nature, and of Nations, together with the true originall, and power of Justice, but also the very essence of Christian Religion it selfe, so farre forth as the measure of this my purpose could well bear it.

Which kinde of doctrine (excepting what relates to Christian Religion) the most antient Sages *did judge fittest to be delivered to posterity, either curiously adorned with Verse, or clouded with Allegories, as a most beautifull and hallowed mystery of Royall authority; lest by the disputations of private men, it might be defiled; Other Philosophers in the mean time, to the advantage of mankinde, did contemplate the faces, and motions of things, others, without disadvantage; their natures, and causes. But in after times,* Socrates *is said to have been the first, who truly loved this civill Science, although hitherto not throughly understood, yet glimmering forth as through a cloud in the government of the Common-Weale, and that he set so great a value on this, that utterly abandoning, and despising all other parts of Philosopy, he wholly embraced*

embraced this, as judging it onely Worthy the labour of his minde. After him comes Plato, Aristotle, Cicero, *and other Philosophers, as well Greeke, as Latine, and now at length all men of all Nations, not only Philosophers, but even the vulgar, have, and doe still deale with this as a matter of ease, exposed and prostitute to every Mother-Wit, and to be attained without any great care or study, and which makes mainly for its dignity, those who suppose themselves to have it, or are in such employment, as they ought to have it, doe so Wonderfully please themselves in its* Idæa, *as they easily brooke the followers of other arts to be esteemed and styled ingenuous, learned, skilfull, what you will; except prudent: for this Name, in regard of civill knowledge, they presume to be due to themselves onely. Whether therefore the Worth of arts is to be weighed by the Worthinesse of the Persons who entertain them, or by the number of those who have written of them, or by the judgement of the Wisest; certainly this must carry it, which so neerly relates to* Princes, *and others engaged in the government of mankinde, in whose adulterate Species*

also the most part of men doe delight themselves, and in which the most excellent wits of Philosophers *have been conversant. The benefit of it when rightly delivered (that is) When derived from true Principles by evident connexion, we shall then best discerne, when we shall but well have considered the mischiefes that have befallen mankinde in its counterfeit and babling form; for in such matters as are speculated for the exercise of our wits, if any errour escape us, it is without hurt; neither is there any losse, but of time onely: but in those things which every man ought to meditate for the steerage of his life, it necessarily happens, that not onely from errours, but even from ignorance it selfe, there arise offences, contentions, nay even slaughter it selfe. Look now, how great a prejudice these are, such, and so great is the benefit arising from this doctrine of morality truly declared. How many Kings (and those good men too) hath this one errour, That a Tyrant King might lawfully be put to death, been the slaughter of? How many throats hath this false position cut, That a* Prince *for some causes may by some certain men be deposed? And*

what

what blood-ſhed hath not this erroneous doctrine cauſed, That Kings are not ſuperiours to, but adminiſtrators for the multitude? Laſtly, how many rebellions hath this opinion been the cauſe of, which teacheth that the knowledge whether the commands of Kings be juſt or unjuſt, belongs to private men, and that before they yeeld obedience, they not only may, but ought to diſpute them? Beſides, in the morall Philoſophy now commonly received, there are many things no leſſe dangerous then thoſe, which it matters not now to recite. I ſuppoſe thoſe antients foreſaw this, who rather choſe to have the Science of Juſtice wrapt up in fables, then openly expoſed to diſputations: for before ſuch queſtions begã to be moved, Princes did not ſue for, but already exerciſed the ſupreme power. They kept their Empire entire, not by arguments, but by puniſhing the wicked, and protecting the good; likewiſe Subjects did not meaſure what was juſt by the ſayings and judgements of private men, but by the Lawes of the Realme; nor were they kept in peace by diſputations, but by power and authority: yea they reverenced the ſupreme power, whether

residing in one man or in a councell, as a certain visible divinity; therefore they little used as in our dayes, to joyn themselves with ambitious, and hellish spirits, to the utter ruine of their State; for they could not entertain so strange a phansie as not to desire the preservation of that by which they were preserved; in truth, the simplicity of those times was not yet capable of so learned a piece of folly. Wherefore it was peace, and a golden age, which ended not before that Saturn *being expelled, it was taught lawfull to take up arms against Kings. This I say, the Antients not only themselves saw, but in one of their fables, they seem very aptly to have signified it to us; for they say, that when* Ixion *was invited by* Jupiter *to a banquet, he fell in love, and began to court* Juno *her selfe; offering to embrace her, he clasp't a clowd, from whence the* Centaures *proceeded, by nature halfe men, halfe horses, a fierce, a fighting, and unquiet generation; which changing the names only, is as much as if they should have said, that private men being called to Counsels of State desired to prostitute justice, the onely sister and wife of the supreme, to*

their

their own judgements, and apprehensions, but embracing a false and empty shadow instead of it, they have begotten those hermophrodite opinions of morall Philosophers, partly right and comely, partly brutall and wilde, the causes of all contentions, aud blood-sheds. Since therefore such opinions are daily seen to arise, if any man now shall dispell those clowds, and by most firm reasons demonstrate that there are no authenticall doctrines conccening right and wrong, good and evill, besides the constituted Lawes in each Realme, and government; and that the question whether any future action will prove just or unjust, good or ill, is to be demanded of none, but those to whom the supreme hath committed the interpretation of his Lawes; surely he will not only shew us the high way to peace, but will also teach us how to avoyd the close, darke, and dangerous by-paths of faction and sedition, then which I know not what can be thought more profitable.

Concerning my Method, I thought it not sufficient to use a plain and evident style in what I had to deliver, except I took my begining from the very matter of civill goverment, and

thence proceeded to its generation, and form, and the first beginning of justice; for every thing is best understood by its constitutive causes; for as in a watch, or some such small engine, the matter, figure, and motion of the wheeles, cannot well be known, except it be taken in sunder, and viewed in parts; so to make a more curious search into the rights of States, and duties of Subjects, it is necessary, (I say not to take them in sunder, but yet that) they be so considered, as if they were dissolved, (i.e.) that wee rightly understand what the quality of humane nature is, in what matters it is, in what not fit to make up a civill government, and how men must be agreed among themselves, that intend to grow up into a well-grounded State. Having therefore followed this kind of Method; In the first place I set down for a Principle by experience known to all men, and denied by none, to wit, that the dispositions of men are naturally such, that except they be restrained through feare of some coercive power, every man will distrust and dread each other, and as by naturall right he may, so by necessity he will be forced to make use of the strength hee

hath,

hath, toward the preſervatiõ of himſelf. You will object perhaps, that there are ſome who deny this, truly ſo it happens, that very many do deny it. But ſhall I therefore ſeem to fight againſt my ſelf becauſe I affirm that the ſame men confeſſe, and deny the ſame thing? In truth I do not, but they do, whoſe actions diſavow what their diſcourſes approve of. We ſee all countries though they be at peace with their neighbours, yet guarding their Frontiers With armed men, their Townes with Walls and Ports, and keeping conſtant Watches. To what purpoſe is all this, if there be no feare of the neighbouring power? Wee ſee even in well-governed States, where there are lawes and puniſhments appointed for offendors, yet particular men travell not without their Sword by their ſides, for their defences, neither ſleep they without ſhutting not only their doores againſt their fellow Sebjects, but alſo their Trunks and Coffers for feare of domeſtiques. Can men give a clearer teſtimony of the diſtrnſt they have each of other, and all, of all? How ſince they doe thus, and even Countreyes as well as men, they publiquely profeſſe their mutuall feare and diffi-

dence; But in disputing they deny it, thats as much as to say, that out of a desire they have to contradict others, they gainsay themselves. Some object that this principle being admitted, it would needs follow, not onely that all men were wicked (which perhaps though it seeme hard, yet We must yeeld to, since it is so clearly declar'd by holy writ) but also wicked by nature (which cannot be granted without impiety) But this, that men are evill by nature, followes not from this principle; for though the wicked were fewer then the righteous, yet because we cannot distinguish them, there is a necessity of suspecting, heeding, anticipating, subjugating, selfe-defending, ever incident to the most honest, and faireſt condition'd; much lesse do's it follow that those who are wicked are so by nature, for though from nature, that is from their first birth, as they are meerly sensible Creatures, they have this disposition, that immediately as much as in them lies, they desire and doe whatsoever is best pleasing to them, that either through feare they fly from, or through hardnesse repell those dangers which approach them, yet are they not for this

reason

reaſon to be accounted Wicked; for the affections of the minde which ariſe onely from the lower parts of the ſoule are not wicked themſelves, but the actions thence proceeding may be ſo ſometimes, as when they are either offenſive, or againſt duty. Unleſſe you give Children all they aske for, they are peeviſh, and cry, I and ſtrike their Patents ſometimes, and all this they have from nature, yet are they free from guilt, neither may we properly call them wicked; firſt, becauſe they cannot hurt; next, becauſe wanting the free uſe of reaſon they are exempted from all duty; theſe when they come to riper yeares having acquired power whereby they may doe hurt, if they ſhall continue to doe the ſame things, then truly they both begin to be, and are properly accounted wicked; In ſo much as a Wicked man is almoſt the ſame thing with a childe growne ſtrong and ſturdy, or a man of a childiſh diſpoſition; and malice the ſame With a defect of reaſon in that age, When nature ought to be better governed through good education and experience. Unleſſe therefore We will ſay that men are naturally evill, becauſe

they receive not their education and use of reason from nature, We must needs acknowledge that men may derive desire, feare, anger, and other passions from nature, and yet not impute the evill effects of those unto nature. The fonndation therefore which I have laid standing firme, I demonstrate in the first place, that the state of men without civill society (which state we may properly call the state of nature) is nothing else but a meere warre of all against all; and in that Warre all men have equall right unto all things; Next, that all men as soone as they arrive to understanding of this hatefull condition, doe desire (even nature it selfe compelliug them) to be freed from this misery. But that this cannot be done except by compact, they all quitt that right which they have unto all things. Furthermore I declare, and confirme What the nature of compacts is; how and by what meanes the right of one might be transfer'd unto another to make their compacts valid; also What rights, and to Whom they must necessarily be granted for the establishling of Peace, I meane What those dictates of reason are, which may

properly

properly be term'd the Lawes of nature; and all these are contain'd in that part of this booke which I entitle Liberty.

These grounds thus layd, I shew farther What civill government, and the supreme power in it, and the divers kinds of it are; by what meanes it becomes so, & what rights particular men, who intend to constitute this civill government, must so necessarily transfer from themselves on the supreme power, whether it be one man, or an assembly of men, that except they doe so it Will evidently appeare to be no civill government, but the rights which all men have to all things, that is the rights of Warre Will still remaine. Next, I distinguish the divers kindes of it, to wit, Monarchie, Aristocratie, Democratie, and paternall Dominion, and that of Masters over their Servants, I declare how they are constituted, and I compare their severall conveniences and inconveniences each with other: furthermore, I unfold What those things are which destroy it, and what his or their duty is who rule in chiefe. Last of all, I explicate the natures of the Law, and of sinne, and I diginguish

Law from Counsell, from compact from that which I call Right; all, which I comprehend under the title of Dominion.

In the last part of it which is entituled Religion, *lest that right which by strong reason I had confirm'd the Soveraigne powers in the preceding discourse have over their Subjects, might seem to be repugnant to the sacred Scriptures, I shew in the first place how it repugns not the Divine right, for as much as God overrules all rulers by nature,* (i. e.) *by the Dictates of naturall reason. In the second, for as much as God himselfe had a peculiar dominion over the* Jewes *by vertue of that antient Covenant of Circumcision. In the third, because God doth now rule over us Christians by vertue of our Covenant of Baptisme; and therefore the authority of Rulers in chiefe, or of civill government, is not at all, we see, contrary to Religion.*

In the last place I declare what duties are necessarily requir'd from us, to enter into the Kingdome of Heaven; *and of those I plainly demonstrate, and conclude out of evident testimonies of holy writ, according*

ding to the interpretation made by all, that the obedience which I have affirm'd to be due from particular Christian Subjects unto their Christian Princes cannot possibly in the least sort be repugnant unto Christian Religion. You have seene my Method, receive now the reason which mov'd me to write this; I was studying Philosphie *for my minde sake, and I had gathered together its first Elements in all kinds, and having digested them into three Sections by degrees, I thought to have written them so as in the first I would have treated of a body, and its generall properties; in the second of man and his speciall faculties, and affections; in the third, of civill government and the duties of Subjects: Wherefore the first Section would have contained the first* Philosophie, *and certaine elements of Physick; in it we would have considered the reasons of Time, Place, Cause, Power, Relation, Proportion, Quantity, Figure, and motion. In the second we would have beene conversant about imagination, Memory, intellect, ratiocination, appetite, Will, good and Evill, honest and dishonest,*

and

and the like; what this laſt Section handles, I have now already ſhewed you. Whileſt I contrive, order, penſively and ſlowly compoſe theſe matters, for I onely doe reaſon, I diſpute not, It ſo happen'd in the interim, that my Country ſome few yeares before the civill Warres did rage, was boyling hot with queſtions concerning the rights of Dominion, and the obedience due from Subjects, the true forerunners of an approaching War; And was the cauſe which (all thoſe other matters deferr'd) ripen'd, and pluckt from me this third part. Therefore it happens that what was laſt in order, is yet come forth firſt in time, and the rather, becauſe I ſaw that grounded on its owne principles ſufficiently knowne by experience it would not ſtand in need of the former Sections. I have not yet made it out of a deſire of praiſe (although if I had, I might have defended my ſelfe with this faire excuſe, that very few doe things laudably, who are not affected with commendation) but for your ſakes Readers, who I perſwaded my ſelfe, when you ſhould rightly apprehend and throughly underſtand

this

this Doctrine I here present you with, would rather chuse to brooke with patience some inconveniences under government (because humane affairs cannot possibly be without some) then selfe opiniatedly disturb the quiet of the publique; That, weighing the justice of those things you are about, not by the perswasion and advise of private men, but by the Lawes of the Realme, you will no longer suffer ambitious men through the streames of your blood to wade to their owne power; That you will esteeme it better to enjoy your selves in the present state, though perhaps not the best, then by waging Warre, indeavour to procure a reformation for other men in another age, your selves in the meane while either kill'd, or consumed with age; Farthermore, for those who will not acknowledge themselves subject to the civill Magistrate, and will be exempt from all publique burthens, and yet will live under his Jurisdiction, and looks for protection from the violence and injuries of others, that you would not looke on them as fellow Subjects, but esteeme them for enemies, and spies, and that yee rashly

raſhly admit not for Gods Word all Which either openly or privately they ſhall pretend to bee ſo. I ſay more plainly, if any Preacher, Confeſſor, or Caſuiſt, ſhal but ſay that this doctrin is agreeable with Gods word, namely, That the chief ruler, nay any private man may lawfully be put to death without the chiefes command, or that Subjects may reſiſt, conſpire, or covenant againſt the ſupreme power, that ye by no means beleeve them, but inſtantly declare their names. He who approves of theſe reaſons, will alſo like my intention in writing this book.

Laſt of al, Ihave propounded to my ſelf this rule through this whole diſcourſe; Firſt, not to define ought which concerns the juſtice of ſingle actions, but leave thē to be determined by the laws. Next not to diſpute the laws of any government in ſpecial, that is, not to point which are the laws of any country, but to declare what the laws of all countries are. Thirdly not to ſeem of opinion, that there is a leſſe proportion of obedience due to an Ariſtocraty *or* Democraty, *then a Monarchy; for though I have endeavoured by arguments in my tenth Chapter to gain a belief in men, that Monarchy*

narchy is the most commodious government (which one thing alone I confesse in this whole book not to be demonstrated, but only probably stated) yet every where I expresly say, that in all kind of Government whatsoever, there ought to be a supreme and equall power. Fourthly, not in any wise to dispute the positions of Divines, except those which strip Subjects of their obedience, and shake the foundations of civill government. Lastly, lest I might imprudently set forth somewhat of which there would be no need, what I had thus written, I would not presently expose to publique interest, wherefore I got some few copies privately dispersed among some of my friends, that discrying the opinions of others, if any things appeared erroneous, hard, or obscure, I might correct, soften, and explain them.

These things I found most bitterly excepted against: that I had made the civill powers too large, but this by Ecclesiasticall Persons; that I had utterly taken away liberty of conscience, but this by Sectaries; that I had set Princes above the civil Laws, but this by Lawyers; wherefore I was not much moved by these mens reprehensions, (as who in

doing

doing this did but do their own buſineſs) except it were tye thoſe knots ſomewhat faſter.

But for their ſakes who have a litle been ſtaggered at the Principles themſelves, to wit the nature of men, the authority or right of nature, the nature of compacts and contracts, and the originall of civill government, becauſe in finding fault they have not ſo much followed their Paſsions, as their common ſenſe, I have therefore in ſome places added ſome annotations Whereby I preſumed I might give ſome ſatisfaction to their differing thoughts; Laſtly I have endevoured to offend none beſide thoſe whoſe Principles theſe contradict, and Whoſe tender mindes are lightly offended by every difference of opinions.

Wherefore if ye ſhall meet With ſome things Which have more of ſharpneſſe, and leſſe of certainty then they ought to have, ſince they are not ſo much ſpoken for the maintenance of parties, as the eſtabliſhment of peace, and by one whoſe juſt grief for the preſent calamities of his country, may very charitably be allowed ſome liberty, it is his only requeſt to ye Readers, ye will deign to receive them with an equall mind.

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Rex est qui posuit metus,
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Qui tuto positus loco
Infra se videt omnia

Philoſophicall Elements
OF
A true Citizen.

LIBERTY.

CHAP. I.
Of the ſtate of men without Civill Society.

I. *The Introduction.* II. *That the beginning of* Civill Society *is from mutuall fear.* III. *That men by nature are all equall.* IV. *Whence the will of Miſchieving ariſeth.* V. *The Diſcord ariſing from compariſon of Wills.* VI. *From the Appetite many have to the ſame thing.* VII. *The definition of* Right. VIII. *A right to the end gives a right to the means neceſſary*

to that end. IX. *By the right of nature every man is judge of the means which tend to his own preſervation.* X. *By* Nature *all men have equall right to all things.* XI. *This right which all men have to all things is unprofitable.* XII. *The ſtate of men without civill ſociety is a meere State of* Warre; *The definitions of* Peace *and* Warre. XIII. *War is an adverſary to mans preſervation.* XIV. *It is lawfull for any man by naturall right to compell another whom he hath gotten in his power to give caution of his future obedience.* XV. Nature *dictates the ſeeking after* Peace.

The Introduction.

I. THE faculties of Humane nature may be reduc'd unto four kinds; Bodily ſtrength, Experience, Reaſon, Paſſion. Taking the beginning of this following Doctrine from theſe, we will declare in the firſt place what manner of inclinations men who are endued with theſe faculties bare towards each other, and whether, and by what faculty they are born, apt for Society, and ſo preſerve themſelves againſt mutuall violence; then proceeding, we will ſhew what advice

advice was neceſſary to be taken for this buſineſſe, and what are the conditions of Society, or of Humane Peace; that is to ſay, (changing the words onely) what are the fundamentall *Lawes of Nature.*

That the beginning of mutuall ſociety is from fear.

II. The greateſt part of thoſe men who have written ought concerning Commonwealths, either ſuppoſe, or require us, or beg of us to believe, That Man is a Creature (*) born fit for Society: The Greeks call him Ζῶον πολιτικον; and on this foundation they ſo build up the Doctrine of Civill Society, as if for the preſervation of Peace, and the Government of Man-kind there were nothing elſe neceſſary, then that Men ſhould agree to make certaine Covenants and Conditions together, which themſelves ſhould then call Lawes. Which Axiom, though received by moſt, is yet certainly Falſe, and an Errour proceeding from our too ſlight contemplation of Humane Nature; for they who ſhall more narrowly look into the Cauſes for which Men come together, and delight in each others company, ſhall eaſily find that this happens not becauſe naturally it could happen no otherwiſe, but by Accident: For if by nature one Man ſhould Love another (that is) as Man, there could no reaſon be return'd why every Man ſhould not equally Love every Man, as being equally Man, or why he ſhould rather frequent thoſe whoſe Society affords him Honour or Profit. We doe not therefore by nature ſeek Society for its own ſake, but that we may receive ſome Honour or Profit from it; theſe we deſire Primarily, that Secondarily: How by what

advice Men doe meet, will be beſt known by obſerving thoſe things which they doe when they are met: For if they meet for Traffique, it's plaine every man regards not his Fellow, but his Buſineſſe; if to diſcharge ſome Office, a certain Market-friendſhip is begotten, which hath more of Jealouſie in it then True love, and whence Factions ſometimes may ariſe, but Good will never; if for Pleaſure, and Recreation of mind, every man is wont to pleaſe himſelf moſt with thoſe things which ſtirre up laughter, whence he may (according to the nature of that which is Ridiculous) by compariſon of another mans Defects and Infirmities, paſſe the more currant in his owne opinion; and although this be ſometimes innocent, and without offence; yet it is manifeſt they are not ſo much delighted with the Society, as their own Vain glory. But for the moſt part, in theſe kind of meetings, we wound the abſent, their whole life, ſayings, actions are examin'd, judg'd, condemn'd; nay, it is very rare, but ſome preſent receive a fling before they part, ſo as his reaſon was not ill, who was wont alwayes at parting to goe out laſt. And theſe are indeed the true delights of Society, unto which we are carryed by nature. (*i. e.*) by thoſe paſſions which are incident to all Creatures, untill either by ſad experience, or good precepts, it ſo fall out (which in many never happens) that the Appetite, of preſent matters, be dul'd with the memory of things paſt, without which, the diſcourſe of moſt quick and nimble men, on this ſubject, is but cold and hungry.

But

But if it ſo happen, that being met, they paſſe their time in relating ſome Stories, and one of them begins to tell one which concernes himſelfe; inſtantly every one of the reſt moſt greedily deſires to ſpeak of himſelf too; if one relate ſome wonder, the reſt will tell you miracles, if they have them, if not, they'l fein them: Laſtly, that I may ſay ſomewhat of them who pretend to be wiſer then others; if they meet to talk of Philoſophy, look how many men, ſo many would be eſteem'd Maſters, or elſe they not only love not their fellowes, but even perſecute them with hatred: So clear is it by experience to all men who a little more narrowly conſider Humane affaires, that all free congreſs ariſeth either from mutual poverty, or from vain glory, whence the parties met, endeavour to carry with them either ſome benefit, or to leave behind them that ſame εὐδοκιμεῖν ſome eſteem and honour with thoſe, with whom they have been converſant: The ſame is alſo collected by reaſon out of the definitions themſelves, of *Will, Good, Honour, Profitable.* For when we voluntarily contract Society, in all manner of Society we look after the object of the Will, *i.e.* that, which every one of thoſe, who gather together, propounds to himſelfe for good; now whatſoever ſeemes good, is pleaſant, and relates either to the ſenſes, or the mind, but all the mindes pleaſure is either Glory, (or to have a good opinion of ones ſelfe) or referres to Glory in the end; the reſt are Senſuall, or conducing to ſenſuality, which may be all comprehended under the word Conveniencies. All Society

therefore is either for Gain, or for Glory, (*i. e.*) not ſo much for love of our Fellowes, as for love of our Selves: but no ſociety can be great, or laſting, which begins from Vain Glory; becauſe that Glory is like Honour, if all men have it, no man hath it, for they conſiſt in compariſon and precellence; neither doth the ſociety of others advance any whit the cauſe of my glorying in my ſelfe; for every man muſt account himſelf, ſuch as he can make himſelfe, without the help of others. But though the benefits of this life may be much farthered by mutuall help, ſince yet thoſe may be better attain'd to by Dominion, then by the ſociety of others: I hope no body will doubt but that men would much more greedily be carryed by Nature, if all fear were removed to obtain Dominion, then to gaine Society. We muſt therefore reſolve, that the Originall of all great, and laſting Societies, conſiſted not in the mutuall good will men had towards each other, but in the (*) mutuall fear they had of each other.

Annotation.

Born fit] *Since we now ſee actually a conſtituted Society among men, and none living out of it, ſince we diſcern all deſirous of congreſſe, and mutuall correſpondence, it may ſeeme a wonderfull kind of ſtupidity, to lay in the very threſhold of this Doctrine, ſuch a ſtumbling block before the Readers, as to deny* Man to be born fit for Society: *Therefore I muſt more plainly ſay, That it is true indeed, that to Man, by nature, or as Man, that is, as ſoone as he is born, Solitude is an enemy; for Infants have need of others to help them to live,*

and

and those of riper years to help them to live well, wherefore I deny not that men (even nature compelling) desire to come together. But civill Societies are not meer Meetings, but Bonds, to the making whereof, Faith and Compacts are necessary: the Vertue whereof to Children, and Fooles, and the Profit whereof to those who have not yet tasted the miseries which accompany its defects, is altogether unknown; whence it happens, that those, because they know not what Society is, cannot enter into it; these, because ignorant of the benefit it brings, care not for it. Manifest therefore it is, that all men, because they are born in Infancy, are born unapt for Society. Many also (perhaps most men) either through defect of minde, or want of education remain unfit during the whole course of their lives; yet have they Infants, as well as those of riper years, an humane nature; wherefore Man is made fit for Society not by Nature, but by Education: furthermore, although Man were born in such a condition as to desire it, it followes not, that he therefore were Born fit to enter into it; for it is one thing to desire, another to be in capacity fit for what we desire; for even they, who through their pride, will not stoop to equall conditions; without which there can be no Society, do yet desire it.

The mutuall fear] It is objected: It is so improbable that men should grow into civill Societies out of fear, that if they had been afraid, they would not have endur'd each others looks: They presume, I believe, that to fear is nothing else then to be affrighted: I comprehend in this word Fear, a certain forcsight of future evill; neither doe I conceive slight the sole property of fear, but to distrust, suspect; take

Annotation.

take heed, provide so that they may not fear, is also incident to the fearfull. They who go to Sleep, shut their Dores, they who Travell carry their Swords with them, because they fear Theives. Kingdomes guard their Coasts and Frontiers with Forts, and Castles, Cities are compast with Walls, and all for fear of neighbouring Kingdomes and Townes; even the strongest Armies, and most accomplisht for Fight, yet sometimes Parly for peace, as fearing each others power, and lest they might be overcome. It is through fear that men secure themselves, by flight indeed, and in corners, if they think they cannot escape otherwise, but for the most part by Armes, and Defensive Weapons; whence it happens, that daring to come forth, they know each others Spirits; but then, if they fight, Civill Society ariseth from the Victory, if they agree, from their Agreement.

That men by nature are all equall.

III. The cause of mutuall fear consists partly in the naturall equality of men, partly in their mutuall will of hurting: whence it comes to passe that we can neither expect from others, nor promise to our selves the least security: For if we look on men full-grown, and consider how brittle the frame of our humane body is, (which perishing, all its strength, vigour, and wisdome it selfe perisheth with it) and how easie a matter it is, even for the weakest man to kill the strongest, there is no reason why any man trusting to his own strength should conceive himself made by nature above others: they are equalls who can doe equall things one against the other; but they who can do the greatest things, (namely kill) can doe equall things. All men therefore among them-

themſelves are by nature equall; the inequality we now diſcern, hath its ſpring from the Civill Law.

IV. All men in the State of nature have a deſire, and will to hurt, but not proceeding from the ſame cauſe, neither equally to be condemn'd, for one man according to that naturall equality which is among us, permits as much to others, as he aſſumes to himſelf (which is an argument of a temperate man, and one that rightly values his power) another ſuppoſing himſelfe above others, will have a Licenſe to doe what he liſts, and challenges Reſpect, and Honour, as due to him before others, (which is an Argument of a fiery ſpirit:) This mans will to hurt ariſeth from Vain glory, and the falſe eſteeme he hath of his owne ſtrength; the others, from the neceſſity of defending himſelfe, his liberty, and his goods againſt this mans violence. *Whence the wil of miſchieving each other ariſeth.*

V. Furthermore, ſince the combate of Wits is the fierceſt, the greateſt diſcords which are, muſt neceſſarily ariſe from this Contention; for in this caſe it is not only odious to contend againſt, but alſo not to conſent; for not to approve of what a man ſaith is no leſſe then tacitely to accuſe him of an Errour in that thing which he ſpeaketh; as in very many things to diſſent, is as much as if you accounted him a fool whom you diſſent from; which may appear hence, that there are no Warres ſo ſharply wag'd as between Sects of the ſame Religion, and Factions of the ſame Commonweale where the Conteſtation is: Either concerning Doctrines, or Politique Prudence *The diſcord from compariſon of wits.*

dence. And since all the pleasure, and jollity of the mind consists in this; even to get some, with whom comparing it, may find somewhat wherein to Tryumph, and Vaunt it self; its impossible but men must declare sometimes some mutuall scorn and contempt either by Laughter, or by Words, or by Gesture, or some signe or other; then which there is no greater vexation of mind; and then from which there cannot possibly arise a greater desire to doe hurt.

From the Appetite many have to the same thing.

VI. But the most frequent reason why men desire to hurt each other, ariseth hence, that many men at the same time have an Appetite to the same thing; which yet very often they can neither enjoy in common, nor yet divide it, whence it followes that the strongest must have it, and who is strongest must be decided by the Sword.

The definition of Right.

VII. Among so many dangers therefore, as the naturall lusts of men do daily threaten each other withall, to have a care of ones selfe is not a matter so scornfully to be lookt upon, as if so be there had not been a power and will left in one to have done otherwise; for every man is desirous of what is good for him, and shuns what is evill, but chiefly the chiefest of naturall evills, which is Death; and this he doth, by a certain impulsion of nature, no lesse then that whereby a Stone moves downward: It is therefore neither absurd, nor reprehensible; neither against the dictates of true reason for a man to use all his endeavours to preserve and defend his Body, and the Members thereof from death and sorrowes; but that which is not contrary

to

to right reaſon, that all men account to be done juſtly, and with right; Neither by the word Right is any thing elſe ſignified, then that liberty which every man hath to make uſe of his naturall faculties according to right reaſon: Therefore the firſt foundation of naturall *Right* is this, That *every man as much as in him lies endeavour to protect his* life and members.

VIII. But becauſe it is in vaine for a man to have a *Right* to the end, if the *Right* to the neceſſary meanes be deny'd him; it followes, that ſince every man hath a *Right* to preſerve himſelf, he muſt alſo be allowed a *Right to uſe all the means, and do all the actions, without which he cannot preſerve himſelf.*

A right to to the end gives alſo a right to the means.

IX. Now whether the means which he is about to uſe, and the action he is performing, be neceſſary to the preſervation of his Life, and Members, or not, *he himſelf*, by the right nature, muſt *be judg*; for ſay another man, judg that it is contrary to right reaſon that I ſhould judg of mine own perill: why now, becauſe he judgeth of what concerns me, by the ſame reaſon, becauſe we are equall by nature, will I judge alſo of things which doe belong to him; therefore it agrees with right reaſon (that is) it is the right of nature that I judge of his opinion, (*i. e.*) whether it conduce to my preſervation, or not.

By the right of nature every man is judge of the means which tend to his preſervation.

10. Nature hath given to *every one a right to all* (That as it was lawfull for every man in the (*) bare ſtate of nature, or before ſuch time as men had engag'd themſelves by any Covenants, or Bonds, to doe what

By right of nature all men have equall right to all things.

what hee would, and againſt whom he thought fit, and to poſſeſſe, uſe, and enjoy all what he would, or could get. Now becauſe whatſoever a man would, it therefore ſeems good to him becauſe he wills it, and either it really doth, or at leaſt ſeems to him to contribute toward his preſervation, (but we have already allowed him to be judge in the foregoing Article whether it doth or not, in ſo much as we are to hold all for neceſſary whatſoever he ſhall eſteeme ſo) and by the 7. Article it appeares that *by the right of Nature* thoſe things may be done, and muſt be had, which neceſſarily conduce to the protection of life, and members, it followes, that in the ſtate of nature, To have all, and do all is lawfull for all. And this is that which is meant by that cõmon ſaying, *Nature hath given all to all,* from whence we underſtand likewiſe, that in the ſtate of nature, Profit is the meaſure of *Right.*

Annotation In the meere ſtate of Nature] *This is thus to be underſtood: What any man does in the bare ſtate of Nature is injurious to no man; not that in ſuch a State he cannot offend God, or break the Lawes of Nature; for Injuſtice againſt men preſuppoſeth Humane Lawes, ſuch, as in the State of Nature there are none: Now the truth of this propoſition thus conceived is ſufficiently demonſtrated to the mindfull Reader in the Articles immediately foregoing; but becauſe in certaine caſes the difficulty of the concluſion makes us forget the premiſes, I will contract this Argument, and make it moſt evident to a ſingle view; every man hath right to protect himſelf, as appears by the ſeventh Article. The ſame man therefore hath a right to*

uſe

uſe all the means which neceſſarily conduce to this end by the eight Article: But thoſe are the neceſſary means which he ſhall judge to be ſuch by the ninth Article. He therefore hath a right to make uſe of, and to doe all whatſoever he ſhall judge requiſite for his preſervation: wherefore by the judgement of him that doth it, the thing done is either right, or wrong; and therefore right. True it is therefore in the bare State of Nature, &c but if any man pretend ſomewhat to tend neceſſarily to his preſervation, which yet he himſelf doth not confidently believe ſo, he may offend againſt the Lawes of Nature, as in the third Chapter of this Book is more at large declar'd It hath been objected by ſome: If a Sonne kill his Father, doth he him no injury? I have anſwered, That a Sonne cannot be underſtood to be at any time in the State of Nature, as being under the power and command of them to whom he ownes his protection as ſoon as ever he is born, namely either his Fathers, or his Mothers, or his that nouriſht him, as is demonſtrated in the ninth Chapter.

The right of all to all is unprofitable.

XI. But it was the leaſt benefit for men thus to have a common *Right to all things*; for the effects of this *Right* are the ſame, almoſt, as if there had been no *Right* at all; for although any man might ſay of every thing, *This is mine*, yet could he not enjoy it, by reaſon of his Neighbour, who having equall *Right*, and equall power, would pretend the ſame thing thing to be his.

The ſtate of men without Society is a ſtate of War.

XII. If now to this naturall proclivity of men, to hurt each other, which they derive from their Paſſions, but chiefly from a vain eſteeme of themſelves: You adde, the right

right of all to all, wherewith one *by right* invades, the other *by right* resists, and whence arise perpetuall jealousies and suspicions on all hands, and how hard a thing it is to provide against an enemy invading us, with an intention to oppresse, and ruine, though he come with a small Number, and no great Provision, it cannot be deny'd but that the naturall state of men, before they entr'd into Society, was a meer War, and that not simply, but a War of all men, against all men; for what is WAR, but that same time in which the will of contesting by force, is fully declar'd either by Words, or Deeds? The time remaining, is termed PEACE.

The definition of War, and Peace.

War is an adversary to mans preservation.

XIII. But it is easily judg'd how disagreeable a thing to the preservation either of Man-kind, or of each single Man, a perpetuall *War* is: But it is perpetuall in its own nature, because in regard of the equality of those that strive, it cannot be ended by Victory; for in this state the Conquerour is subject to so much danger, as it were to be accounted a Miracle, if any, even the most strong should close up his life with many years, and old age. They of *America* are Examples hereof, even in this present Age: Other Nations have been in former Ages, which now indeed are become Civill, and Flourishing, but were then few, fierce, short-lived, poor, nasty, and destroy'd of all that Pleasure, and Beauty of life, which *Peace* and Society are wont to bring with them. Whosoever therefore holds, that it had been best to have continued in that state in which all

things

things were lawfull for all men, he contradicts himſelf; for every man, by naturall neceſſity deſires that which is good for him: nor is there any that eſteemes a *war* of all againſt all, which neceſſarily adheres to ſuch a State, to be good for him, and ſo it happens that through feare of each other we think it fit to rid our ſelves of this condition, and to get ſome fellowes; that if there needs muſt be *war*, it may not yet be againſt all men, nor without ſome helps.

XIV. Fellowes are gotten either by conſtraint, or by conſent; By Conſtraint, when after fight the Conqueror makes the conquered ſerve him either through feare of death, or by laying fetters on him: By conſent, when men enter into ſociety to helpe each other, both parties conſenting without any conſtraint. But the Conqueror may by *right* compell the Conquered, or the ſtrongeſt the weaker, (as a man in health may one that is ſick, or he that is of riper yeares a childe) unleſſe he will chooſe to die, to give caution of his future obedience. For ſince the *right* of protecting our ſelves according to our owne wills proceeded from our danger, and our danger from our equality, its more conſonant to reaſon, and more certaine for our conſervation, uſing the preſent advantage to ſecure our ſelves by taking caution; then, when they ſhall be full growne and ſtrong, and got out of our power, to endeavour to recover that power againe by doubtfull fight. And on the other ſide, nothing can be thought more abſurd, then by diſcharging whom you already have weak in your power, to make him

That by the right of nature it is lawfull for any man to compell him whom he hath in his power to give him caution for his future obedience.

him at once both an enemy, and a ſtrong one. From whence we may underſtand likewiſe as a Corollarie in the naturall ſtate of men, That *a ſure and irreſiſtible power confers the right of Dominion, and ruling over thoſe who cannot reſiſt*; inſomuch, as the right of all things, that can be done, adheres eſſentially, and immediately unto this omnipotence hence ariſing.

XV. Yet cannot men expect any laſting preſervation continuing thus in the ſtate of nature (*i.e.*) of *War*, by reaſon of that equality of power, and other humane faculties they are endued withall. Wherefore to ſeek Peace, where there is any hopes of obtaining it, and where there is none, to enquire out for Auxiliaries of War, is the dictate of right Reaſon; that is, the Law of Nature, as ſhall be ſhewed in the next Chapter.

Chap. II.

Of the Law of Nature concerning Contracts.

I. *That the Law of Nature* is not an Agreement of Men, *but the Dictate of Reaſon.* II. *That the* fundamentall *Law of Nature is to ſeek Peace where it may be had, and where not, to defend our ſelves.* III. *That the* firſt ſpeciall *Law of Nature is not to retain our Right to*

all

all things. IV. What it is to quit our Right, what to transfer it. V. That in the transferring of our right the will of him that receives it is neceſſarily required. VI. No words but thoſe of the preſent tenſe transferre any right. VII. Words of the future, if there be ſome other tokens to ſignifie the will are valid in the *tranſlation* of Right. VIII. In matters of free gift our Right *paſſeth* not from us, through any words of the future. IX. The definition *of Contract, and Compact.* X. In Compacts our Right *paſſeth from us,* through words of the future. XI. *Compacts* of mutuall faith in the State of Nature are of no effect, and vain; but not ſo in Civill Government. XII. That no man can make *Compacts* with Beaſts, nor yet with God without Revelation. XIII. Nor yet make a Vow to God. XIV. That *Compacts* oblige not beyond our outmoſt endeavour. XV. By what meanes we are freed from *our Compacts.* XVI. That *promiſes* extorted through feare of death

death in the State of Nature are *valid*. XVII. A latter *Compact* contradicting the former, is invalid. XVIII. *A Compact* not to resist him that shall prejudice my Body is invalid. XIX. *A Compact* to accuse ones self is invalid. XX. The definition *of Swearing*. XXI. That *Swearing* is to be conceived in that forme which he useth that takes the Oath. XXII. *An Oath* superaddes nothing to the Obligation which is made *by Compact*. XXIII. *An Oath* ought not to be prest, but where the breach of Compacts may be kept private, or cannot be punisht, but from God himself.

That the Law of nature is not an agreement of men, but the Dictates of Reason.

I. ALL Authors agree not concerning the definition *of the Naturall Law*, who notwithstanding doe very often make use of this terme in their Writings. The Method therefore, wherein we begin from definitions, and exclusion of all equivocation, is only proper to them who leave no place for contrary Disputes; for the rest, if any man say, that somwhat is done against the Law of Nature, one proves it hence, because it was done against the generall Agreement of all the most wise, and learned Nations: But this declares not who shall be the judg of the wisdome and learning of all

all Nations: Another hence, That it was done againſt the Generall conſent of all Man-kind; which definition is by no means to be admitted; for then it were impoſſible for any but Children, and Fools, to offend againſt ſuch a Law; for ſure, under the notion of *Man-kind*, they comprehend all men actually endued with Reaſon. Theſe therefore either doe Naught againſt it, or if they doe Ought, it is without their joint accord, and therefore ought to be excus'd, but to receive the Lawes of Nature from the Conſents of them, who oftner Break, then Obſerve them, is in truth unreaſonable: beſides, Men condemne the ſame things in others, which they approve in themſelves; on the other ſide, they publickly commend what they privately condemne; and they deliver their Opinions more by Hear-ſay, then any Speculation of their own; and they accord more through hatred of ſome object, through fear, hope, love, or ſome other perturbation of mind, then true Reaſon. And therefore it comes to paſſe, that whole Bodyes of people often doe thoſe things by Generall accord, or Contention, which thoſe Writers moſt willingly acknowledge to be againſt the *Law of Nature*. But ſince all doe grant that is done by RIGHT, which is not done againſt Reaſon, we ought to judg thoſe Actions onely *wrong*, which are repugnant to right Reaſon, (*i.e.*) which contradict ſome certaine Truth collected by right reaſoning from true Principles; but that *Wrong* which is done, we ſay it is done againſt ſome Law: therefore *True Reaſon* is

a certaine *Law*, which (since it is no lesse a part of Humane nature, then any other faculty, or affection of the mind) is also termed naturall. Therefore the *Law of Nature*, that I may define it, is the Dictate of right (*) Reason, conversant about those things which are either to be done, or omitted for the constant preservation of Life, and Members, as much as in us lyes.

Annotation.

Right Reason.] *By Right Reason in the naturall state of men, I understand not, as many doe, an infallible faculty, but the act of reasoning, that is, the peculiar and true ratiocination of every man concerning those actions of his which may either redound to the dammage, or benefit of his neighbours. I call it Peculiar, because although in a Civill Government the reason of the Supreme* (i. e. *the Civill Law*) *is to be received by each single subject for the right; yet being without this Civill Government, (in which state no man can know right reason from false, but by comparing it with his owne) every mans owne reason is to be accounted not onely the rule of his owne actions which are done at his owne perill, but also for the measure of another mans reason, in such things as doe concerne him. I call it True; that is, concluding from true principles rightly fram'd, because that the whole breach of the Lawes of Nature consists in the false reasoning, or rather folly of those men who see not those duties they are necessarily to performe toward others in order to their owne conservation; but the Principles of Right reasoning about such like duties are those which are explained in the 2, 3, 4, 5, 6, and 7. Articles of the first Chapter.*

II. *But*

II. *But the* firſt and fundamentall *Law of Nature is, That Peace is to be ſought after where it may be found; and where not, there to provide our ſelves for helps of War*: For we ſhewed in the laſt Article of the foregoing Chapter, that this precept is the dictate of right reaſon; but that the Dictates of right reaſon are naturall Lawes, that hath been newly prov'd above; But this is the firſt, becauſe the reſt are deriv'd from this, and they direct the wayes either to Peace, or ſelf-defence.

That is the fundamentall Law of Nature to ſeek Peace where it may be had, and where not, to defend our ſelves.

III. But one of the *Naturall Lawes* deriv'd from this fundamentall one is this, *That the right of all men, to all things, ought not to be retain'd, but that ſome certain rights ought to be transferr'd, or relinquiſht*: for if every one ſhould retain his *right to all things*, it muſt neceſſarily follow, that ſome *by right* might invade; and others, by the ſame right, might defend themſelves againſt them, (for every man, by naturall neceſſity, endeavours to defend his Body, and the things which he judgeth neceſſary towards the protection of his Body) therefore *War* would follow. He therefore acts againſt the reaſon of Peace, (*i. e.*) againſt the *Law of Nature*, whoſoever he be, that doth not part with his *Right to all things*.

The firſt ſpecial Law of Nature is, That our Rights to all things ought not to be retain'd.

IV. But he is ſaid to *part with his right*, who either *abſolutely renounceth it*, or conveys it to another. He abſolutely renounceth it, who by ſome ſufficient Signe, or meet Tokens, declares that he is willing that it ſhall never be lawfull for him to doe that again, which before, *by Right*, he might have done; but he *conveys* it to another,

What it is to quit our right, what to convey it.

who

who by ſome ſufficient Signe, or meet Tokens, declares to that other, that he is willing it ſhould be unlawfull for him to reſiſt him, in going about to do ſomewhat in the performance where he might before, *with Right*, have reſiſted him; but that the *conveyance of Right* conſiſts meerly in not reſiſting, is underſtood by this, that before it was *convey'd*, he, to whom he convey'd it, had even then alſo a right to all, whence he could not give any new *Right*: But the reſiſting *Right* he had, before he gave it, by reaſon whereof the other could not freely enjoy his *Rights*, is utterly aboliſht: Whoſoever therefore acquires ſome *Right* in the naturall ſtate of men, he onely procures himſelf ſecurity, and freedome from juſt moleſtation in the enjoyment of his *Primitive Right*: As for example, if any man ſhall ſell, or give away a Farme, he utterly deprives himſelf only from all *Right* to this Farme, but he does not ſo from others alſo.

The will of the receiver muſt neceſſarily be declar'd before the right be convey'd.

V. But in the *conveyance of Right* the will is requiſite not onely of him that conveys, but of him alſo that accepts it. If either be wanting, the Right remaines: for if I would have given what was mine, to one who refus'd to accept of it, I have not therefore either ſimply renounc'd my Right, or convey'd it to any man; for the cauſe which mov'd me to part with it to this Man was in him onely, not in others too.

Words convey not, except they relate to the time preſent.

VI. But if there be no other Token extant of our will either to quit, or convey our Right, but onely Words; thoſe words

muſt

muſt either relate to the *preſent*, or *time paſt*; for if they be of the *future* onely, they convey nothing: for example, he that ſpeaks thus of the time to come, *I will give to morrow*, declares openly that yet he hath not given it; ſo that all this day his right remains, and abides to morrow too, unleſſe in the interim he actually beſtowes it: for what is mine, remains mine till I have parted with it. But if I ſhall ſpeak of the *time preſent*, ſuppoſe thus; *I doe give*, or *have given* you this to be received to morrow, by theſe words is ſignified that I have *alreadg given it*, and that his *Right* to receive it *to morrow*, is conveyed to him by me *to day*.

Words of the future ſuffice to convey, if other teſtimonies of our will be not wanting.

VII. Nevertheleſſe, although words alone are not ſufficient tokens to declare the Will; if yet to words relating to the future, there ſhall ſome other ſignes be added, they may become as valid, as if they had been ſpoken of the preſent: If therefore, as by reaſon of thoſe other ſignes, it appear, that he that ſpeaks of the future, intends thoſe words ſhould be effectuall toward the perfect *transferring of his Right*, they ought to be valid; for *the conveyance of right* depends not on words, but (as hath been inſtanc'd in the 4. Article) on the declaration of the Will.

In matters of free gift words of the future conveigh no Right.

VIII. If any man conveigh ſome part of his right to another, and doth not this for ſome certain benefit received, or for ſome compact, a conveighance in this kind is called a Gift, or *free Donation*. But in free donation thoſe words onely oblige us which ſignifie *the preſent*, or *the time paſt*;

for if they respect *the future*, they oblige not *as words*, for the reason given in the foregoing Article: It must needs therefore be, that the Obligation arise from some other tokens of the Will: But, because whatsoever is *voluntarily* done, is done for some *good* to him that *wils it*; there can no other token be assigned of the Will to give it, except some *benefit* either already receiv'd, or to be acquir'd; but is suppos'd, that no such *benefit* is acquired, nor any compact in being; for if so, it would cease to be a *free gift*: It remains therefore, that a *mutuall good turne* without agreement be expected; but no signe can be given, that he, who us'd future words toward him who was in no sort engag'd to return a benefit, should desire to have his words so understood, as to oblige himselfe thereby. Nor is it suitable to Reason, that those who are easily enclined to doe well to others, should be oblig'd by every promise, testifying their present good affection: And for this cause, a promiser in this kind, must be understood to have time to deliberate, and power to change that affection as well as he to whom he made that promise, may alter his desert. But he that deliberates, is so farre forth free, nor can be said to have already given: But if he promise often, and yet give seldome, he ought to be condemn'd of levity, and be called not a Donour, but Dotson.

The definition of Contract, and Covenant.

IX. But the act of two, or more, mutually *conveighing* their *Rights*, is call'd a *Contract*. But in every Contract, either both parties instantly performe what they contract

contract for, insomuch as there is no trust had from either to other; or the one performes, the other is trusted, or neither performe. Eeither both parties performe presently, there the Contract is ended, as soon as 'tis performed; but where there is credit given either to one, or both, there the party trusted promiseth after-performance; and this kind of promise is called a COVENANT.

X. But the *Covenant* made by the party trusted with him, who hath already performed, although the promise be made by words pointing at the future, doth no lesse transfer the right of future time, thē if it had been made by words signifying the present, or time past: for the others performance is a most manifest signe that he so understood the speech of him whom he trusted, as that he would certainly make performance also at the appointed time; and by this signe the party trusted knew himselfe to be thus understood, which, because he hindred not, 'twas an evident token of his Will to performe. The *promises* therefore which are made for some *benefit* received (which are also Covenants) are Tokens of the Will; that is, (as in the foregoing Section hath been declared) of the last act of deliberating, whereby the liberty of non-performance is abolisht, and by consequence are obligatory; for where Liberty ceaseth, there beginneth Obligation.

In Covenants we passe away our Rights by words signifying the future.

XI. But the Covenants, which are made in contract of mutual. trust, neither party performing out of hand, if there (*) arise a just suspicion in either of them

Covenants in the state of nature

and of none effect, not so in Civill Government.

are in the ſtate of nature invalid: for he that firſt performes by reaſon of the wicked diſpoſition of the greateſt part of men ſtudying their owne advantage, either by right, or wrong, expoſeth himſelf to the perverſe will of him with whom he hath Contracted; for it ſuites not with reaſon, that any man ſhould performe firſt, if it be not likely that the other will not make good his promiſe after; which, whether it be probable, or not, he that doubts it, muſt be judge of, as hath been ſhewed in the foregoing Chapter in the 9. Article. Thus, I ſay, things ſtand in the ſtate of nature, but in a Civill State, when there is a power which can compell both parties, he that hath contracted to perform firſt, muſt firſt performe; becauſe, that ſince the other may be compell'd, the cauſe which made him fear the others non-performance, ceaſeth.

Annotation

Ariſe] *For, except there appear ſome new cauſe of fear, either from ſomewhat done, or ſome other token of the Will not to performe from the other part, it cannot be judg'd to be a juſt fear; for the cauſe which was not ſufficient to keep him from making Compact, muſt not ſuffice to authorize the breach of it, being made.*

That no man can make Compacts with Beaſts, neither with God without Revelation.

X I. But from this reaſon, that in all *Free-gifts*, and *Compacts*, there is an acceptance of the conveighance of *Right* required: it followes, that no man can *Compact* with him who doth not declare his acceptance; and therefore we cannot compact with Beaſts, neither can we give, or take from them any manner of Right, by reaſon

of

of their want of ſpeech, and underſtanding. Neither can any man *Covenant* with God, or be oblig'd to him by Vow, except ſo far forth as it appeares to him by Holy Scriptures, that he hath ſubſtituted certaine men who have authority to accept of ſuch like *Vowes* and *Covenants*, as being in Gods ſtead.

Nor yet Vow to God.

XIII. Thoſe therefore doe vow in vain, who are in the ſtate of nature, where they are not tyed by any Civill Law, (except by moſt certain Revelation the Will of God to accept their *Vow*, or *Pact*, be made known to them) for if what they *Vow*, be contrary to the Law of Nature, they are not tyed by their *Vow*, for no man is tyed to perform an unlawfull act, but if what is vowed, be commanded by ſome *Law* of nature, it is not their *Vow*, but the *Law* it ſelf which ties them; but if he were free before his *vow*, either to doe it, or not doe it, his liberty remaines, becauſe that the openly declar'd Will of the obliger is requiſite to make an obligation by *Vow*, which in the caſe propounded is ſuppos'd not to be: Now I call him the *Obliger* to whom any one is tyed, and the *Obliged* him who is tyed.

Compacts oblige not beyond our utmoſt endeavours.

XIV. Covenants are made of ſuch things onely as fall under our deliberation, for it can be no Covenant without the Will of the Contractor, but the Will is the laſt act of him who deliberates; *Wherefore they only concerne things poſſible, and to come*; no man therefore, by his Compact, obligeth himſelf to an impoſſibility. But yet, though we often Covenant to doe ſuch things as

then seem'd possible when we promis'd them, which yet afterward appear to be impossible, are we therefore freed from all obligation? the reason whereof is, that he who promiseth a future, incertainty receives a present benefit; on condition, that he return another for it: for his Will, who performes the present benefit hath simply before it; for its object, *a certain good* valuable with the thing promised; but the thing it selfe not simply, but with condition if it could be done; but if it should so happen, that even this should prove impossible, why then he must perform as much as he can. *Covenants* therefore oblige us not to perform just the thing it selfe covenanted for, but our utmost endeavour; for this onely is, the things themselves are not in our power.

In what manner we are freed from Compacts.

XV. We are freed from *Covenants* two wayes, either by performing, or by being forgiven: By performing, for beyond that we oblig'd not our selves. By being for-given, because he whom we oblig'd our selves to by forgiving, is conceiv'd to return us that *Right* which we past over to him; for, forgiving, implies *giving*: that is, by the fourth Article of this Chapter, a conveyance of Right to him to whom the gift is made.

Promises forc'd from us through feare of death are not valid in the state of nature.

XVI. Its an usuall question, Whether *Compacts* extorted from us, through fear, do oblige, or not: For example, If to redeeme my life, from the power of a Robber, a promise to pay him 100l. next day; and that I will doe no act whereby to apprehend, and bring him to Justice, whether I am tyed to keep

keep promiſe, or not? but though ſuch a *Promiſe* muſt ſometimes be judged to be of no effect, yet it is not to be accounted ſo, becauſe it proceeded from fear, for then it would follow that thoſe *promiſes* which reduc'd men to a civill life, and by which Lawes were made, might likewiſe be of none effect, (for it proceeds from fear of mutuall ſlaughter, that one man ſubmits himſelfe to the Dominion of another:) And he ſhould play the fool finely, who ſhould truſt his captive covenanting with the price of his redemption. It holds univerſally true, that promiſes doe oblige when there is ſome benefit received; and that to promiſe, and the thing promiſed, be lawfull: But it is lawfull, for the redemption of my life, both to promiſe, and to give what I will of mine owne to any man, even to a Thief. We are oblig'd therefore by promiſes proceeding from fear, except the Civill Law forbid them, by vertue whereof, that which is promiſed becomes unlawfull.

A latter Compact contradicting the former is invalid.

XVII. Whoſoever ſhall contract with one to doe, or omit ſomewhat, and ſhall after *Covenant* the contrary with another; he maketh not the former, but the latter *Contract* unlawfull: for, he hath no longer *Right* to doe, or to omit ought, who by former *Contracts* hath conveyed it to another; wherefore he can conveigh no *Right* by latter *Contracts*, and what is promiſed, is promis'd without Right: He is therefore tyed onely to his firſt *Contract*; to break which is unlawfull.

A promiſe not to reſiſt

XVIII. No man is oblig'd by any *Con-*

him that prejudices my Body is invalid.

Contracts whatsoever not to resist him who shall offer to kill, wound, or any other way hurt his Body; for there is in every man a certain high degree of fear, through which he apprehends that evill which is done to him to be the greatest, and therefore by naturall necessity he shuns it all he can, and 'tis suppos'd he can doe no otherwise: When a man is arriv'd to this degree of fear, we cannot expect but he will provide for himself either by flight, or fight. Since therefore no man is tyed to *impossibilities*, they who are threatned either with *death*, (which is the greatest evill to nature) or wounds, or some other bodily hurts, and are not stout enough to bear them, are not obliged to endure them. Farthermore, he that is tyed by Contract is trusted, (for Faith only is the Bond of Contracts) but they who are brought to punishment, either Capitall, or more gentle, are fettered, or strongly guarded, which is a most certain signe that they seem'd not sufficiently bound from non resistance by their Contracts. Its one thing if I promise thus: If I doe it not at the day appointed, kill me. Another thing if thus: If I doe it not, though you should offer to kill me, I will not resist: All men, if need be, contract the first way; but there is need sometimes. This second way, none, neither is it ever needfull; for in the meer state of nature, if you have a mind to kill, that state it selfe affords you a Right; insomuch as you need not first trust him, if for breach of trust you will afterward kill him. But in a Civill State, where the Right of life, and death, and of all

all corporall punishment is with the Supreme; that same Right of killing cannot be granted to any private person. Neither need the Supreme himselfe contract with any man patiently to yeeld to his punishment, but onely this, that no man offer to defend others from him. If in the state of nature, as between two Realmes, there should a Contract be made, on condition of killing, if it were not perform'd, we must presuppose another Contract of not killing before the appointed day. Wherefore on that day, if there be no performance, the right of Warre returnes; that is, an hostile state, in which all things are lawfull, and therefore resistance also. Lastly, by the contract of not resisting, we are oblig'd of two Evills to make choice of that which seemes the greater; for certaine Death is a greater evill then Fighting; but of two Evills it is impossible not to chuse the least: By such a Compact therefore we should be tyed to impossibilities, which is contrary to the very nature of compacts.

XIX. Likewise no man is tyed by any Compacts whatsoever to accuse himself, or any other, by whose dammage he is like to procure himselfe a better life; wherefore neither is a Father oblig'd to bear witnesse against his Sonne, nor a Husband against his Wife, nor a Sonne against his Father; nor any man against any one, by whose meanes he hath his subsistance; for in vain is that testimony which is presum'd to be corrupted from nature; but although no man be tyed to accuse himself by any com-

The Compact of self-accusation is invalid.

pact, yet in a publique tryall he may, by torture, be forc'd to make anſwer; but ſuch anſwers are no teſtimony of the fact, but helps for the ſearching out of truth; inſomuch as whether the party tortur'd his anſwer be true, or falſe, or whether he anſwer not at all, whatſoever he doth, he doth it by Right.

The definition of an Oath.

XX. *Swearing* is a ſpeech joyned to a promiſe, whereby the promiſer declares his renouncing of Gods mercy, unleſſe he perform his word; which definition is contained in the words themſelves, which have in them the very eſſence of an *Oath*, to wit, *ſo God help me*, or other equivalent, as with the Romans, *Doe thou Jupiter ſo deſtroy the deceiver, as I ſlay this ſame Beaſt*: neither is this any let, but that an *Oath* may as well ſometimes be affirmatory, as promiſſory; for he that confirmes his affirmation with an *Oath*, promiſeth that he ſpeaks truth. But though in ſome places it was the faſhion for Subjects to Swear by their Kings; that cuſtome took its Originall hence, That thoſe Kings took upon them Divine Honour; for *Oathes* were therefore introduc'd that by Religion, and conſideration of the Divine Power men might have a greater dread of breaking their Faiths, then that wherewith they fear men, from whoſe eyes their actions may lie hid.

The Swearing muſt be conceiv'd in that faſhion which he uſes, who takes it.

XXI. Whence it followes, that an *Oath* muſt be conceived in that forme which he uſeth, who takes it; for in vain is any man brought to *Swear* by a God whom he beleeves not, and therefore neither feares him. For though by the light of nature it

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may be known that there is a God, yet no man thinks he is to Swear by him in any other fashion, or by any other name then what is contain'd in the precepts of his own proper, that is, (as he who Swears imagines) the true Religion.

XXII. By the definition of an *Oath* we may understand, that a bare *Contract* obligeth no lesse, then that to which we are Sworn; for it is the *contract* which binds us, the *Oath* relates to the Divine punishment, which it could not provoke, if the breach of contract were not in its selfe unlawfull; but it could not be unlawfull if the *Contract* were not obligatory. Furthermore, he that renounceth the mercy of God obligeth himselfe not to any punishment, because it is ever lawfull to deprecate the punishment howsoever provok'd, and to enjoy Gods Pardon if it be granted. The onely effect therefore of an *Oath* is this, To cause men who are naturally inclin'd to break all manner of faith, through fear of punishment, to make the more Conscience of their words and actions.

Swearing addes nothing to the Obligation which is by Compact.

XXIII. To exact an *Oath*, where the breach of contract, if any be made, cannot but be known, and where the party compacted, withall wants not power to punish, is to do somewhat more then is necessary unto self-defence, and shewes a mind desirous not so much to benefit it selfe, as to prejudice another. For an *Oath*, out of the very form of swearing, is taken in order to the provocation of Gods anger, that is to say, of him that is *Omnipotent* against those who therefore violate their Faith, because they think

An Oath is not to be prest but where the breach of Contract can either be kept private, or not be punisht but from God alone.

think, that by their own ſtrength they can eſcape the puniſhment of men; and of him that is *Omniſcient* againſt thoſe, who therefore uſually break their truſt, becauſe they hope that no man ſhall ſee them.

Chap. III.
Of the other Lawes of Nature.

I. *The* ſecond Law of Nature *is to* perform Contracts. II. *That truſt is to be held with all men without exception.* III. *What* injury *is.* IV. *Injury can be done to none but thoſe with whom we Contract.* V. *The diſtinction of* Juſtice *into that of men, and that of Actions.* VI. *The diſtinction of* commutative, *and* diſtributive *Juſtice examin'd.* VII. *No injury can be done to him that is willing.* VIII. *The third Law of Nature concerning* Ingratitude. IX. *The fourth Law of Nature,* That every man render himſelfe uſefull. X. *The fifth Law, Of* Mercy. XI. *The ſixth Law,* That puniſhments regard the future only. XII. *The ſeventh Law,* Againſt reproach. XIII. *The eighth Law,* Againſt pride. XIV. *The*

XIV. *The ninth Law, Of* humility. XV. *The tenth, Of* equity, *or againſt acceptance of perſons.* XVI. *The eleventh,* Of things to be had in common. XVII. *The twelfth,* Of things to be divided by Lot. XVIII. *The thirteenth,* Of birthright, and firſt poſſeſſion. XIX. *The fourteenth,* Of the ſafe-guard of them who are Mediators for Peace. XX. *The fifteenth,* Of conſtituting an Umpire. XXI. *The ſixteenth,* That no man is judge in his own Cauſe. XXII. *The ſeventeenth,* That Umpires muſt be without all hope of reward from thoſe whoſe Cauſe is to be judged. XXIII. *The eighteenth,* Of witneſſes. XXIV. *The nineteenth,* That there can no Contract be made with the Umpire. XXV. *The twentieth,* Againſt Glutony; and all ſuch things as hinder the uſe of Reaſon. XXVI. *The Rule by which we may preſently know, whether, what we are doing, be againſt the Law of Nature, or not.* XXVII. *The Lawes of Nature oblige only in the Court of Conſcience.* XXVIII. *The Lawes of Nature are ſomtimes*

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broke by doing things answerable to those Lawes. XXIX. *The Lawes of Nature are unchangeable.* XXX. *Whosoever endevours to fulfill the Lawes of Nature is a just man.* XXXI. *The naturall and morall Law are one.* XXXII. *How it comes to passe, that what hath been said of the Lawes of nature is not the same with what Philosophers have delivered concerning the vertues.* XXXIII. *The Law of Nature is not properply a Law, but as it is delivered in Holy Writ.*

The second Law of nature to perform Contracts.

I. ANother of the Lawes of Nature is, to *performe Contracts*, or *to keep trust*; for it hath been shewed in the foregoing Chapter that the Law of Nature commands every man, as a thing necessary, to obtain Peace; to conveigh certain rights from each to other, and that this (as often as it shall happen to be done) is called a *Contract*: But this is so farre forth onely conducible to peace, as we shall performe our selves, what we contract with others, shall be done, or omitted; and in vaine would Contracts be made, unlesse we stood to them. Because therefore, *to stand to our Covenants*, or *to keep faith*, is a thing necessary for the obtaining of peace, it will prove by the second Article of the second

Chapter

Chapter to be a precept of the *naturall Law.*

Neither is there in this matter, any exception of the persons, with whom we Contract, as if they keep no faith with others; or hold, that none ought to be kept, or are guilty of any other kind of vice: for he that Contracts, in that he doth contract, denies that action to be in vaine, and it is against reason for a knowing man to doe a thing in vain; and if he think himself not bound to keep it, in thinking so, he affirms the Contract to be made in vain: He therefore, who Contracts with one with whom he thinks he is not bound to keep faith, he doth at once think a Contract to be a thing done in vaine, and not in vaine, which is absurd. Either therefore we must hold trust with all men, or else not bargain with them; that is, either there must be a declared Warre, or a sure and faithfull Peace. *That Faith is to be kept with all men without exception.*

III. The breaking of a *Bargain*, as also the taking back of a gift, (which ever consists in some action, or omission) is called an INJURY: But that action, or omission, is called *unjust*, insomuch as an *injury*; and an *unjust* action, or omission, signifie the same thing, and both are the same with *breach of Contract and trust*: And it seemes the word *Iniury* came to be given to any action, or omission, because they were *without Right*; he that acted, or omitted, having before conveyed his Right to some other. And there is some likenesse between that, which in the common course of life we call *Injury*; and that, which in the Schools is usually called *Absurd*. For even as *Injury defin'd.*

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he, who by Arguments is driven to deny the Assertion which he first maintain'd, is said to be brought to an *Absurdity*; in like manner, he who through weakness of mind does, or omits that which before he had by *Contract* promis'd not to doe, or omit, cõmits an *Injury*, and falls into no lesse contradiction, then he, who in the Schoo's is reduc'd to an Absurdity. For by contracting for some future action, he wills it done; by not doing it, he wills it not done, which is to will a thing done, and not done at the same time, which is a contradiction. An *Injury* therefore is a kind of *absurdity* in conversation, as an *absurdity* is a kind of *injury* in disputation.

An injury can onely be done to him with whom we Contract.

IV. From these grounds it followes, that an (*) injury can be done to no man but him with whõ we enter *Covenant*, or to whõ somewhat is made over by deed of gift, or to whom somwhat is promis'd by way of bargain, and therefore *damaging* and *injuring* are often disjoyn'd: for if a Master command his Servant, who hath *promis'd* to obey him, to pay a summe of money, or carry some present to a third man; the Servant, if he doe it not, hath indeed *damag'd* this third party, but he *injur'd* his Master onely. So also in a civill government, if any man offend another, with whom he hath made no Contract, he damages him to whom the evill is done, but he injures none but him to whom the power of government belongs: for if he, who receives the hurt, should expostulate the mischief; and he that did it, should answer thus, What art thou to me? Why should I rather doe according

according to yours, then mine owne will, ſince I do not hinder, but you may do your own, and not my mind? In which ſpecch, where there hath no manner of pre-contract paſt, I ſee not, I confeſſe, what is reprehenſible.

Injury can be done againſt no man] *The word injuſtice relates to ſome Law: Injury to ſome Perſon, as well as ſome Law. For what's unjuſt, is unjuſt to all; but there may an injury be done, and yet not againſt me, nor thee, but ſome other; and ſometimes againſt no private perſon, but the Magiſtrate only; ſometimes alſo neither againſt the Magiſtrate, nor any private man, but onely againſt God; for through Contract, and conveighance of Right, we ſay, that an injury is done againſt this, or that man. Hence it is (which we ſee in all kind of Government) that what private men contract between themſelves by word, or writing, is releaſt againe at the will of the Obliger. But thoſe miſchiefes which are done againſt the Lawes of the Land, as theft, homicide, and the like, are puniſht not as he wills, to whom the hurt is done, but according to the will of the Magiſtrate; that is, the conſtituted Lawes.* *Annotation.*

V Theſe words *juſt*, and *unjuſt*, as alſo *juſtice*, *and injuſtice*, are equivocall; for they ſignifie one thing when they are attributed to Perſons, another when to actions: When they are attributed to Actions, *Juſt* ſignifies as much as what's done with Right, and *unjuſt*, as what's done with injury: he who hath done ſome *juſt* thing is not therefore ſaid to be a *juſt* Perſon, but *guiltleſſe*, and he that hath done ſome *unjuſt* thing, we doe not therefore ſay he is an *unjuſt*, but guilty man. *The diſtinction of Juſtice into that of men and actions.*

man. But when the words are applyed to Persons; *to be just*, signifies as much as to be delighted in just dealing, to study how to doe righteousnesse, or to indeavour in all things to doe that which is just; and *to be unjust*, is to neglect righteous dealing, or to think it is to be measured not according to my contract, but some present benefit; so as the *justice* or *injustice* of the mind, the intention, or the man, is one thing; that of an action, or omission, another; and innumerable actions of a *just* man may be *unjust*, and of an *unjust* man, *just*: But that man is to be accounted *just*, who doth just things because the Law commands it, unjust things only by reason of his infirmity; and he is properly said to be *unjust* who doth righteousnes for fear of the punishment annext unto the Law, and unrighteousnesse by reason of the iniquity of his mind.

The distinction of commutative and distributive Justice examin'd.

VI. The justice of actions is commonly distinguisht into two kinds; *Commutative*, and *Distributive*, the former whereof they say consists in Arithmeticall, the latter in Geometricall proportion, and that is conversant in exchanging, in buying, selling, borrowing, lending, location, and conduction, and other acts whatsoever belonging to Contracters, where, if there be an equall return made, hence they say springs a *commutative justice*: But this is busied about the dignity, and merits of men; so as if there be rendred to every man κατὰ τὴν ἀξίαν more to him who is more worthy, and lesse to him that deserves lesse, and that proportionably, hence they say ariseth *distributive justice*: I acknowledge

ledge here ſome certaine diſtinction of equality; to wit, that one is an equality ſimply ſo called, as when two things of equall value are compar'd together, as a pound of ſilver with twelve ounces of the ſame ſilver; the other is an equality, *ſecundum quod*, as when a 1000. pound is to be divided to an hundred men, 600. pounds are given to 60. men, and 400. to 40. where there is no equality between 600. and 400. but when it happens, that there is the ſame inequality in the number of them to whom it is diſtributed, every one of them ſhall take an equall part, whence it is called an equall diſtribution: But ſuch like equality is the ſame thing with Geometricall proportion. But what is all this to Juſtice? for neither, if I ſell my goods for as much as I can get for them, doe I injure the buyer, who ſought, and deſir'd them of me? neither if I divide more of what is mine to him who deſerves leſſe, ſo long as I give the other what I have agreed for, do I wrong to either? which truth our Saviour himſelf, being God, teſtifies in the Goſpell. This therefore is no diſtinction of Juſtice, but of equality; yet perhaps it cannot be deny'd, but that Juſtice is a certain equality, as conſiſting in this onely; that ſince we are all equall by nature, one ſhould not arrogate more *Right* to himſelfe, then he grants to another, unleſſe he have fairly gotten it by Compact. And let this ſuffice to be ſpoken againſt this diſtinction of *Juſtice*, although now almoſt generally receiv'd by all, leſt any man ſhould conceive an *injury* to be ſomewhat elſe, then the breach

breach of Faith, or Contract, as hath been defin'd above.

No injury can be done to him that is willing.

VII. It is an old saying, *Volenti non fit iniuria* (the willing man receives no injury) yet the truth of it may be deriv'd from our Principles. For grant, that a man be willing that that ſhould be done, which he conceives to be an injury to him; why then that is done by his will, which by Contract was not lawfull to be done; but he being willing that ſhould be done, which was not lawfull by *Contract*, the *Contract it ſelf* (by the 15 Article of the foregoing Chapter) becomes void: The *Right* therefore of doing it returnes, therefore it is done by *Right*; wherefore it is no *injury*.

The third Law of nature of ingratitude.

VIII. The third precept of the *Naturall Law*, is, *That you ſuffer not him to be the worſe for you, who out of the confidence he had in you, firſt did you a good a turn; or that you accept not a gift, but with a mind to endeavour, that the giver ſhall have no juſt occaſion to repent him of his gift.* For without this he ſhould act without reaſon that would conferre a benefit where he ſees it would be loſt; and by this meanes all beneficence, and truſt, together with all kind of benevolence would be taken from among men, neither would there be ought of mutuall aſſiſtance among them, nor any commencement of gaining grace and favour; by reaſon whereof the ſtate of Warre would neceſſarily remain, contrary to *the fundamentall Law of Nature*: But becauſe the breach of this Law is not a breach of truſt, or contract, (for we ſuppoſe no Contracts to have paſs'd among them)

them) therefore is it not usually termed an *iniury*, but because *good turns* and *thankes* have a mutuall eye to each other, it is called INGRATITUDE.

IX. The fourth precept of Nature, is, *That every man render himself usefull unto others:* which, that we may rightly understand, we must remember that there is in men, a diversity of dispositions to enter into society, arising from the diversity of their affections, not unlike that which is found in stones, brought together in the Building, by reason of the diversity of their matter, and figure; for as a stone, which in regard of its sharp and angular form takes up more room from other stones then it fils up it selfe, neither because of the hardnesse of its matter cannot well be prest together, or easily cut, and would hinder the building from being fitly compacted, is cast away, *as not fit for use:* so a man, who for the harshnes of his disposition in retaining superfluities for himself, and detaining of necessaries from others; and being incorrigible, by reason of the stubbornnesse of his affections, is commonly said to *be useless*, and troublesome unto others. Now, because each one not by *Right* onely, but even by *naturall necessity* is suppos'd, with all his main might, to intend the procurement of those things which are necessary to his own preservation; if any man will contend on the other side for superfluities, by his default there will arise a Warre, because that on him alone there lay no necessity of contending, he therefore acts against the *fundamentall Law of Nature:* Whence

The fourth Law of nature, that every man render himself usefull.

Whence it followes (which wee were to ſhew) that it is a precept of nature; That every man accommodate himſelfe to others. But he who breaks this *Law* may be called *uſeleſſe*, and troubleſome. Yet *Cicero* oppoſeth *inhumanity* to this *uſefulneſſe*, as having regard to this very Law.

The fift Law of nature of mercifulneſſe.

X. The fift precept of the Law of nature is: *That we muſt forgive him who repents, and asketh pardon for what is paſt; having firſt taken caution for the time to come.* The *pardon* of what is paſt, or the remiſſion of an offence, is nothing elſe but the granting of *peace* to him that asketh it, after he hath *warr'd* againſt us, & now is become penitent. But *Peace granted* to him that repents not, that is, to him that retains an hoſtile mind, or that gives not caution for the future; that is, ſeeks not *peace*, but oportunity, is not properly *peace* but *feare*, and therefore is not commanded by nature. Now to him that will not pardon the penitent, and that gives future caution, peace it ſelfe it ſeems is not pleaſing; which is contrary to the *naturall Law.*

The ſixth Law that puniſhments onely regard the future.

X I. The ſixth precept of the naturall Law is, That in *revenge* and *puniſhments we muſt have our eye not at the evill paſt, but the future good.* That is: It is not lawfull to inflict puniſhment for any other end, but that the offender may be corrected, or that others warned by his puniſhment may become better. But this is confirmed chiefly from hence, that each man is bound by the law of nature to forgive one another, provided he give *caution for the future*, as hath been ſhewed in the foregoing Arti-

cle;

cle. Furthermore, becauſe revenge, if the time paſt be onely conſidered, is nothing elſe but a certain triumph; and glory of minde, which points at no end, (for it contemplates onely what is paſt; but the end is a thing to come) but that which is directed to no end is vain; That revenge therefore which regards not the *future*, proceeds from vaine glory, and therefore without reaſon. But to hurt another without reaſon introduces a warre, and is contrary to the *fundamentall Law of Nature*; It is therefore a precept of the Law of nature, that in revenge wee look not backwards but forward. Now the breach of this Law, is commonly called CRUELTY.

XII. But becauſe all ſignes of hatred, and contempt provoke moſt of all to brawling and fighting, inſomuch as moſt men would rather loſe their lives, (that I ſay not their Peace) then ſuffer ſlander, it followes in the ſeventh place, That it is preſcribed by the Law of nature, that no man either by deeds, or words, *countenance, or laughter, doe declare himſelfe to hate, or ſcorne another.* The breach of which Law is called Reproach. But although nothing be more frequent then the ſcoffes and jeers of the powerfull againſt the weak, and namely of Judges againſt guilty perſons, which neither relate to the offence of the guilty, nor the duty of the Judges, yet theſe kind of men do act againſt *the Law of nature*, and are to be eſteemed for contumelious. *The ſeventh Law of nature againſt ſlander.*

XIII. The queſtion whether of two men be the more worthy, belongs not to the naturall, but civill ſtate, for it hath been *The eight Law againſt pride*

been ſhewed before, Chap. 1. Art. 3. that all men by nature are equall, and therefore the inequality which now is, ſuppoſe from riches, power, nobility of kindred, is come from the *civill Law*. I know that *Ariſtotle* in his firſt book of Politiques affirmes as a foundation of the whole politicall ſcience, that ſome men by nature are made worthy to command, others onely to ſerve, as if Lord and Maſter were diſtinguiſhed not by conſent of men, but by an aptneſſe, that is, a certain kind of naturall knowledge, or ignorance; which foundation is not onely againſt reaſon (as but now hath been ſhewed) but alſo againſt experience: for neither almoſt is any man ſo dull of underſtanding as not to judge it better to be ruled by himſelfe, then to yeeld himſelfe to the government of another; neither if the weaker and ſtronger doe conteſt, have theſe ever, or after the upper hand of thoſe. Whether therefore men be equall by nature, the equality is to be acknowledged, or whether unequall, becauſe they are like to conteſt for dominion, its neceſſary *for the obtaining of Peace, that they be eſteemed as equall*, and therefore it is in the eight place a precept of the Law of nature, *That every man be accounted by nature equall to another*, the contrary to which Law is *PRIDE*.

The ninth Law of humility.

XIV. As it was neceſſary to the conſervation of each man, that he ſhould part with ſome of his *Rights*, ſo it is no leſſe neceſſary to the ſame conſervation, that he retain ſome others, to wit the *Right* of bodily protection, of free enjoyment of ayre, water, and all neceſſaries for life. Since therefore many

common

common *Rights* are retained by thoſe who enter into a *peaceable ſtate*, and that many peculiar ones are alſo acquired, hence ariſeth this ninth dictate of the *naturall Law*, to wit, *That what Rights ſoever any man challenges to himſelfe, he alſo grant the ſame as due to all the reſt*: otherwiſe he fruſtrates the equality acknowledged in the former Article. For what is it elſe to acknowledge an equality of perſons in the making up of ſociety, but to attribute equall Right and Power to thoſe whom no reaſon would elſe engage to enter into ſociety? But to aſcribe *equall things* to *equalls*, is the ſame with giving things *proportionall* to *proportionals*, The obſervation of this Law is called *MEEKNES*, the violation πλεονεξία, the breakers by the Latines are ſtyled *Immodici & immodeſti.*

XV. In the tenth place it is commanded by the *Law of nature, That every man in dividing Right to others, ſhew himſelfe equall to either party.* By the foregoing Law we are forbidden to aſſume more Right by nature to our ſelves, then we grant to others. We may take leſſe if we will, for that ſometimes is an argument of *modeſty*. But if at any time matter of Right be to be divided by us unto others, we are forbidden by this Law to favour one more or leſſe then another. For he that by favouring one before another, obſerves not this naturall equality, *reproaches* him whom he thus undervalues: but it is declared above, that a *reproach* is againſt the *Lawes of Nature*. The obſervance of this Precept is called *EQUITY*; the breach, *Reſpect of Perſons*. The Greeks in one word term it προσωπολημψία. *The eleventh law, of things to be had in common.*

The 11. law, of things to be had in common.

XVI. From the foregoing Law is collected this eleventh, *Those things which cannot be divided, must be used in common, (if they can) and (that the quantity of the matter permit) every man as much as he lists, but if the quantity permit not, then with limitation, and proportionally to the number of the users:* for otherwise that equality can by no means be observed, which we have shewed in the forgoing Article to be commanded by the Law of Nature.

The 12. law, of things to be divided by, lot.

XVII. Also what cannot he divided, nor had in common, it is provided by the *Law of nature* (which may be the twelfth Precept) *that the use of that thing be either by turns, or adjudged to one onely by lot, and that in the using it by turns, it be also decided by lot who shall have the first use of it*; For here also regard is to be had unto equality: but no other can be found, but that of lot.

The 13. law, of birth-right, and first possession.

XVIII. But all lot is twofold; *arbitrary*, or *naturall*; Arbitrary is that which is cast by the consent of the Contenders, and it consists in meer *chance* (as they say) or *fortune*. Naturall is *primogeniture* (in Greek πληρονομία, as it were given by lot) or *first possession*. Therefore the things which can neither be divided, nor had in common, must be granted to the first possessour, as also those things which belonged to the Father are due to the Sonne, unless the Father himselfe have formerly conveighed away that *Right* to some other. Let this therefore stand for the thirteenth *Law of Nature*.

The 14. law, of the

XIX. The 14 Precept of the Law of nature is, *That safety must be assured to the*

Mediators

Mediators for Peace. For the reaſon which commands the end, commands alſo the means neceſſary to the end. But the firſt dictate of Reaſon is *Peace*; All the reſt are means to obtain it, and without which *Peace* cannot be had. But neither can *Peace* be had without mediation, nor mediation without ſafety; it is therefore a dictate of Reaſon, that is, a *Law of nature*, That we muſt give all ſecurity to the Mediators for *Peace.*

ſafety of thoſe who are Mediators for Peace.

XX. Furthermore, becauſe, although men ſhould agree to make all theſe, and whatſoever other *Lawes of Nature*, and ſhould endeavour to keep them, yet doubts, and controverſies would daily ariſe concerning the application of them unto their actions, to wit, whether *what was done*, were againſt the *Law*, or not, (which we call, the Queſtion of Right) whence will follow a fight between Parties, either ſides ſuppoſing themſelves wronged; it is therefore neceſſary to the preſervation of *Peace* (becauſe in this caſe no other fit remedy can poſſibly be thought on) that both the diſagreeing Parties refer the matter unto ſome third, and oblige themſelves by *mutuall compacts* to ſtand to his judgement in deciding the controverſie. And he to whom they thus refer themſelves is called an *Arbiter*. It is therefore the 15. Precept of the *naturall Law*, *That both parties diſputing concerning the matter of right ſubmit themſelvee unto the opinion and judgement of ſome third.*

The 15. law, of appointing an umpire.

The 16. law, that no man muſt be judge in his owne cauſe.

XXI. But from this ground, that an *Arbiter* or *Judge* is choſen by the differing Parties to determine the controverſie, we gather, that

the *Arbiter* muſt not be one of the Parties: for every man is preſumed to ſeek what is *good for himſelfe* naturally, and what is *juſt*, onely for *Peaces* ſake, and accidentally; and therefore cannot obſerve that ſame equality commanded by the *Law of nature* ſo exactly as a third man would do: It is therefore in the ſixteenth place contained in the *Law of nature*, *That no man muſt be Judge or Arbiter in his own cauſe.*

The 17. law, that Arbiters muſt be without all hope of reward from the parties whoſe cauſe is to be judged.

XXII. From the ſame ground ſollowes in the ſeventeenth place, *That no man muſt be Judge who proponds unto himſelf any hope of profit, or glory, from the victory of either part:* for the like reaſon ſwayes here, as in the foregoing Law.

The 18. law, of witneſſes.

XXIII. But when there is ſome controverſie of the fact it ſelfe, to wit, whether that bee done or not, which is ſaid to bee done, *the naturall Law* wills, that the Arbiter truſt both Parties alike, that is, (becauſe they affirm contradictories) that hee believe neither: He muſt therefore give credit to a third, or a third and fourth, or more, that he may be able to give judgement of the fact, as often as by other ſignes he cannot come to the knowledge of it. The 18. *Law of nature* therefore injoynes *Arbiters*, and *Iudges* of fact, *That where firm and certain ſignes of the fact appear not, there they rule their ſentence by ſuch witneſſes, as ſeem to be indifferent to both Parts.*

The 19. law, that no contract is to be made with the judge.

XXIV. From the above declared definition of an *Arbiter* may be furthermore underſtood, *That no contract or promiſe muſt paſſe between him and the parties whoſe Iudge he is appointed, by vertue whereof he may be engaged*

gaged to ſpeak in favour of either part, nay, or be oblig'd to judge according to equity, or to pronounce ſuch ſentence as he ſhall truly judge to be equall. The *Judge* is indeed hound to give ſuch ſentence as he ſhall judge to be equall by the *Law of Nature* re-counted in the 15. Article. To the obligation of which Law nothing can be added by way of Compact. Such compact therefore would be in vain. Beſides, if giving wrong judgement, he ſhould contend for the equity of it, except ſuch Compact be of no force, the Controverſie would remain after Judgement given, which is contrary to the *conſtitution of an Arbiter*, who is ſo choſen, as both parties havc oblig'd themſelves to ſtand to the Judgement which he ſhould pronounce. The *Law of Nature* therefore commands the *Judge* be to diſ-engag'd, which is its 19 precept.

XXV. Farthermore, foraſmuch as the *Lawes of Nature* are nought elſe but the dictates of Reaſon, ſo as, unleſſe a man endeavour to preſerve the faculty of right reaſoning, he cannot obſerve the Lawes of Nature, it is manifeſt, that he, who knowingly, or willingly, doth ought, whereby the rationall faculty may be deſtroyed, or weakned, he knowingly, and willingly, breaks the Law of nature: For there is no difference between a man who performes not his Duty, and him who does ſuch things willingly, as make it impoſſible for him to doe it. But they deſtroy and weaken the reaſoning faculty, who doe that which diſturbs the mind from its naturall ſtate; that which moſt manifeſtly happens to

The 20. Law, againſt Gluttony, and ſuch things as hinder the uſe of Reaſon.

Drunkards and Gluttons: we therefore sin in the 20 place against the Law of Nature by *Drunkennesse*.

The rule by which a man may presently know whether what he is about to act, be against the law of nature, or not.

XXVI. Perhaps some man, who sees all these *precepts of Nature* deriv'd by a certain artifice from the single dictate of Reason advising us to look to the preservation, and safegard of our selves, will say, That the deduction of these Lawes is so hard, that it is not to be expected they will be vulgarly known, and therefore neither will they prove obliging: for Lawes, if they be not known, oblige not, nay, indeed are not Lawes. To this I answer, it's true, That *hope*, *fear*, *anger*, *ambition*, *covetousnesse*, *vain glory*, and other perturbations of mind, doe hinder a man so, as he cannot attaine to the knowledge of these Lawes, whilst those passions prevail in him: But there is no man who is not sometimes in a quiet mind; At that time therefore there is nothing easier for him to know, though he benever so rude and unlearn'd, then this only Rule, That when he doubts, whether what he is now doing to another, may be done by the *Law of Nature*, or not, he conceive himself to be in that others stead. Here instantly those perturbations which perswaded him to the fact, being now cast into the other scale, disswade him as much: And this Rule is not onely easie, but is Anciently celebrated in these words, *Quod tibi fieri non vis, alteri nè feceris: Do not that to others, you would not have done to your self.*

The lawes of nature

XXVII. But because most men, by reason of their perverse desire of present profit,

profit, are very unapt to obſerve theſe Lawes, although acknowledg'd by them, if perhaps ſome others more humble then the reſt ſhould exerciſe that equity and uſefulneſſe which Reaſon dictates, thoſe not practiſing the ſame, ſurely they would not follow Reaſon in ſo doing; nor would they hereby procure themſelves peace, but a more certain quick deſtruction, and the keepers of the Law become a meer prey to the breakers of it. It is not therefore to be imagin'd, that by Nature, (that is, by Reaſon) men are oblig'd to the (*) exerciſe of all theſe Lawes in that ſtate of men wherein they are not practis'd by others. We are oblig'd yet in the interim to a readineſſe of mind to obſerve them whenſoever their obſervation ſhall ſeeme to conduce to the end for which they were ordain'd. We muſt therefore conclude, that the Law of Nature doth alwayes, and every where oblige in the *internall Court*, or that of *Conſcience*, but not alwayes in the *externall Court*, but then onely when it may be done with ſafety.

oblige only in the court of Conſcience.

The exerciſe of all theſe Lawes] *Nay among theſe Lawes ſome things there are, the omiſſion whereof (provided it be done for Peace, or Self-preſervation) ſeemes rather to be the fulfilling, then breach of the Naturall Law; for he that doth all things againſt thoſe that doe all things, and plunders plunderers, doth equity; but on the other ſide, to doe that which in peace is an handſome action, and becomming an honeſt man, is dejectedneſſe, and poorneſſe of ſpirit, and a betraying of ones ſelf in the time of War. But there are certain naturall Lawes,*

Annotation.

whose exercise ceaseth not even in the time of War it self; for I cannot understand what drunkennesse, or cruelty (that is, Revenge which respects not the future good) can advance toward peace, or the preservation of any man. Briefly, in the state of nature, what's just, and unjust, is not to be esteem'd by the Actions, but by the Counsell, and Conscience of the Actor. That which is done out of necessity, out of endeavour for peace, for the preservation of our selves, is done with Right; otherwise every damage done to a man would be a breach of the naturall Law, and an injury against God.

The Lawes of Nature are sometimes broken by an act agreeable to those Lawes.

XXVIII. But the Lawes which oblige Conscience, may be broken by an act, not onely contrary to them, but also agreeable with them, if so be that he who does it be of another opinion: for though the act it self be answerable to the Lawes, yet his Conscience is against them.

The Lawes of Nature are immutable.

XXIX. *The Lawes of Nature are immutable, and eternall*: What they forbid, can never be lawfull; what they command, can never be unlawfull: For *pride, ingratitude, breach of Contracts,* (or *injury*) *inhumanity, contumely*, will never be lawfull; nor the contrary vertues to these ever unlawfull, as we take them for dispositions of the mind, that is, as they are considered in the *Court of Conscience*, where onely they oblige, and are Lawes. Yet actions may be so diversified by circumstances, and the Civill Law, that what's done with equity at one time, is guilty of iniquity at another; and what suits with reason at one time, is contrary to it another. Yet Reason is still the same,

and

and changeth not her end, which is *Peace*, and *Defence*; nor the meanes to attaine them, to wit, those vertues of the minde which we have declar'd above, and which cannot be abrogated by any Custome, or Law whatsoever.

XXX. It's evident by what hath hitherto been said, how easily the *Lawes of Nature* are to be observ'd, because they require the endeavour onely, (but that must be true and constant) which who so shall performe, we may rightly call him JUST. For he who tends to this with his whole might, namely, that his actions be squar'd according to the *precepts of Nature*, he shewes clearly that he hath a minde to fulfill all those Lawes, which is all we are oblig'd to by rationall nature. Now he that hath done all he is oblig'd to, it a *Just Man*.

He who endeavours to fulfill the Lawes of Nature, is just.

XXXI. All Writers doe agree that the *Naturall Law* is the same with the *Morall*. Let us see wherefore this is true. We must know therefore, that *Good* and *Evill* are names given to things to signifie the inclination, or aversion of them by whom they were given. But the inclinations of men are diverse, according to their diverse Constitutions, Customes, Opinions; as we may see in those things we apprehend by sense, as by tasting, touching, smelling; but much more in those which pertain to the common actions of life, where what this man *commends*, (that is to say, calls *Good*) the other *undervalues*, as being *Evil*; Nay, very often the same man at diverse times, *praises*, and *dispraises* the same thing. Whilst thus they doe, necessary it is there

The naturall Law is the same with the morall.

should be discord, and strife: They are therefore so long in the state of War, as by reason of the diversity of the present appetites, they mete Good and Evill by diverse measures. All men easily acknowledge this state as long, as they are in it, to be evill, and by consequence that *Peace* is good. They therefore who could not agree concerning a present, doe agree concerning a future Good, which indeed is a work of Reason; for *things present* are obvious to the sense, things *to come* to our Reason only. Reason declaring Peace to be good, it followes by the same reason, that all the necessary means to Peace be good also, and therefore, that *Modesty, Equity, Trust, Humanity, Mercy* (which we have demonstrated to be necessary to Peace) are *good Manners*, or habits, (that is) *Vertues*. The *Law* therefore, in the means to Peace, commands also *Good Manners*, or the practise of *Vertues*. And therefore it is call'd *Morall*.

Whence it comes to passe, that what hath been said concerning the Law, is not the same with what hath been delivered by Philosophers concerning the Vertues.

XXXII. But because men cannot put off this same irrationall appetite, whereby they greedily prefer the present good (to which, by strict consequence, many unfore-seen evills doe adhere) before the future, it happens, that though all men doe agree in the commendation of the foresaid vertues, yet they disagree still concerning their Nature, to wit, in what each of them doth consist; for as oft as anothers good action displeaseth any man, that action hath the name given of some neighbouring vice; likewise the bad actions, which please them, are ever entituled to some Vertue; whence it comes to passe that the same Action is prais'd by these, and call'd Vertue, and disprais'd

diſpraiſed by thoſe, and termed vice. Neither is there as yet any remedy found by Philoſophers for this matter; for ſince they could not obſerve the goodneſſe of actions to conſiſt in this, that it was in order to Peace, and the evill in this, that it related to diſcord, they built a *morall Philoſophy* wholly eſtranged from the *morall Law*, and unconſtant to it ſelf; for they would have the nature of *vertues* ſeated in a certain kind of *mediocrity betweene two extremes*, and the *vices* in the *extremes themſelves*; which is apparently falſe: For to dare is commended, and under the name of *fortitude* is taken for a vertue, although it be an extreme, if the cauſe be approved. Alſo the quantity of a thing given, whether it be great, or little, or between both, makes not *liberality*, but the cauſe of giving it. Neither is it *injuſtice*, if I give any man more, of what is mine own, then I owe him. The *Lawes of Nature* therefore are the ſumme of *Morall* Philoſophy, whereof I have onely delivered ſuch precepts in this place, as appertain to the preſervation of our ſelves againſt thoſe dangers which ariſe from diſcord. But there are other precepts of *rationall* nature, from whence ſpring other vertues: for *temperance* alſo is a precept of Reaſon, becauſe intemperance tends to ſickneſſe, and death. And ſo fortitude too, (that is) that ſame faculty of reſiſting ſtoutly in preſent dangers, (and which are more hardly declined then overcome) becauſe it is a means tending to the preſervation of him that reſiſts.

XXXIII. But thoſe which we call the *Lawes of nature* (ſince they are nothing elſe but *The Law of nature is*

not properly a law, but as it is delivered in holy Scripture.

but certain concluſions underſtood by Reaſon, of things to be done, and omitted; but a Law to ſpeak properly and accurately, is the ſpeech of him who by Right commands ſomewhat to others to be done, or omitted) are not (in propriety of ſpeech) Lawes, as they proceed from nature; yet as they are delivered by God in holy Scriptures, (as we ſhall ſee in the Chapter following) they are moſt properly called by the name of Lawes: for the *ſacred Scripture* is the ſpeech of God commanding over all things by greateſt Right.

Chap. IV.

That the Law of Nature is a Divine Law.

The naturall, and morall law divine.

I. THE ſame *Law* which is *Naturall*, and *Morall*, is alſo wont to be called *Divine*, nor undeſervedly, as well becauſe *Reaſon*, which is the *law of Nature*, is given by God to every man for the rule of his actions; as becauſe the precepts of living which are thence derived, are the ſame with thoſe which have been delivered from the divine Majeſty, for the *LAWES* of his *heavenly Kingdome*, by our Lord *Ieſus Chriſt*, and his holy *Prophets* and *Apoſtles*. What therefore by reaſoning we have underſtood above concerning the law of *nature*, we will endeavour to confirme the ſame in this Chapter by holy writ.

II. But

II. But first we will shew those places in which it is declared, that the Divine Law is seated in right reason. *Psalm* 37. 31, 32. *The mouth of the righteous will be exercised in wisdome, and his tongue will be talking of Iudgement: The law of God is in his heart.* Jerem. 31. 33. *I will put my law in their inward parts, and write it in their hearts.* Psal. 19. 7. *The law of the Lord is an undefiled law, converting the soule.* ver. 8. *The Commandement of the Lord is pure, and giveth light unto the eyes.* Deuteron. 30. 11. *This Commandement which I command thee this day, it is not hidden from thee, neither is it far of,* &c. vers. 14. *But the word is very nigh unto thee, in thy mouth, and in thine heart; that thou maist doe it.* Psal. 119. 14. *Give me understanding, and I shall keep thy law.* vers. 105. *Thy word is a lamp unto my feet, and a light unto my paths.* Proverbs 9. 10. *The knowledge of the holy is understanding.* John 1. 1. *Christ* the Law-giver himselfe is called *the word.* vers. 9. The same *Christ* is called *the true light that lighteth every man that cometh in the world.* All which are descriptions of right *reason*, whose dictates, we have shewed before, are the *lawes of nature.*

Which is confirmed in Scripture in generall.

III. But that which wee set downe for the *fundamentall law of nature*, namely, that *Peace was to be sought for*, is also the summe of the *divine law*, will be manifest by these places. Rom. 3. 17. *Righteousnesse,* (which is the summe of the law) is called *the way of Peace.* Psal. 85. 10. *Righteousnesse and Peace have kissed each other.* Matth. 5. 9. *Blessed are the Peace-makers, for they shall be called the children of God.* And after Saint Paul

Specially in regard of the fundamentall law of nature in seeking of peace.

Paul in his 6. Chapter to the Hebrewes, and the laſt verſe had called *Chriſt* (the Legiſlator of that law we treat of) an *High-Prieſt for ever after the order of* Melchizedeck; he addes in the following Chapter, the firſt verſe, *This* Melchizedeck *was King of* Salem, *Prieſt of the moſt high God*, &c. verſ. 2. *Firſt being by interpretation King of Righteouſneſſe, and after that alſo King of* Salem, *which is, King of peace.* Whence it is cleare, that *Chriſt the King* in his Kingdome placeth *Righteouſneſſe and Peace together.* Pſal. 34 13. *Eſchue evill and doe good, ſeek peace and enſue it.* Iſaiah 9. 6, 7. *Unto us a child is born, unto us a Sonne is given, and the government ſhall be upon his ſhoulder, and his name ſhall be called Wonderfull, Counſellour, the mighty God, the everlaſting Father, the Prince of peace.* Iſaiah 52. 7. *How beautifull upon the mountaines are the feet of him that bringeth good tidings, that publiſheth peace, that bringeth good tidings of good, that publiſheth ſalvation, that ſaith unto* Sion, *thy God reigneth?* Luke 2. 14. In the Nativity of *Chriſt*; the voice of them that praiſed God ſaying, *Glory be to God on high, and in earth peace, good will towards men.* And *Iſaiah* 53. 5. The Goſpell is called the *chaſtiſement of our peace.* Iſay 59. 8. *Righteouſneſſe* is called the way of Peace. *The way of peace they know not, and there is no judgement in their goings.* Micah 5. 4, 5. ſpeaking of the *Meſsias*, he ſaith thus, *Hee ſhall ſtand and feed in the ſtrength of the Lord, in the Majeſty of the name of the Lord his God, and they ſhall abide, for now ſhall he be great unto the end of the earth; And this man ſhall be your Peace*, &c.

Prov.

Prov. 3. 12. *My ſonne forget not my law, but let thine heart keep my Commandements, for length of dayes, and long life, and peace, ſhall they adde to thee,*

IV. What appertains to the firſt law of *aboliſhing the community of all things*, or concerning the introduction of *meum & tuum*, We perceive in the firſt place how great an adverſary this ſame Community is to Peace, by thoſe words of *Abraham* to *Lot*, Gen. 13. 8. *Let there be no ſtrife I pray thee, between thee and me, and between thy heard-men, and my heard-men, for we be brethren. Is not the whole land before thee? Separate thy ſelfe I pray thee from me.* And all thoſe places of Scripture by which we are forbidden to treſpaſſe upon our neighbours, as, *Thou ſhalt not kill, thou ſhalt not commit adultery, thou ſhalt not ſteal*, &c. doe confirm the law of diſtinction between *Mine*, and *Thine*; for they ſuppoſe *the right of all men to all things to be taken away.*

Alſo in regard of the firſt law of nature in aboliſhing all things to be had in common.

V. The ſame precepts eſtabliſh the ſecond law of nature of keeping truſt: for what doth, Thou ſhalt not invade anothers right, import, but this? *Thou ſhalt not take poſſeſsion of that, which by thy contract ceaſeth to be thine*; but expreſſely ſet down, *Pſal.* 15. *verſ.* 1. To him that asked, *Lord who ſhall dwell in thy Tabernacle?* It is anſwered, verſ. 5. *He that ſweareth unto his neighbour, and diſappointeth him not*; and Prov. 6. 1. *My ſonne if thou be ſurety for thy friend, if thou have ſtricken thy hand with a ſtranger, Thou art ſnared with the words of thy mouth.*

Alſo the ſecond law of nature, concerning faith to be kept.

VI. The third *Law* concerning *gratitude* is proved by theſe places, Deut. 25. 4. *Thou*

Alſo of the third law, of thankfulneſſe.

Thou ſhalt not muzzle the Oxe when he treadeth out the corn; which Saint *Paul* 1.*Cor.*9. 9. interprets to be ſpoken of men, not Oxen onely. *Prov.*17.13. *Who ſo rewardeth evill for good, evill ſhall not depart from his houſe.* And *Deut.* 20. 10, 11. *When thou comeſt nigh unto a city to fight againſt it, then proclaim peace unto it. And it ſhall be if it make thee anſwer of peace, and open unto thee, then it ſhall be that all the people that is found therein, ſhall be tributaries unto thee, and they ſhall ſerve thee.* Proverbs 3. 29. *Deviſe not evill againſt thy neighbour, ſeeing he dwelleth ſecurely by thee.*

Alſo the fourth law, of rendring our ſelves uſefull.

VII. To the fourth Law of *accommodating our ſelves*, theſe precepts are conformable, *Exod.* 23. 4, 5. *If thou meet thine enemies Oxe, or his Aſſe going aſtray; thou ſhalt ſurely bring it back to him again; if thou ſee the Aſſe of him that hateth thee lying under his burden, and wouldeſt forbear to help him, thou ſhalt ſurely help with him*, verſ. 9. Alſo, *thou ſhalt not oppreſſe a ſtranger.* Prov.3.30. *Strive not with a man without a cauſe, if he have done thee no harme.* Prov.15. 18. *A wrathfull man ſtirreth up ſtrife, bus he that is ſlow to anger, appeaſeth ſtrife.* 18. 24. *There is a friend that ſticketh cloſer then a brother.* The ſame is confirmed, *Luke* 10. By the Parable of the Samaritan, who had compaſſion on the Jew that was wounded by theeves, and by Chriſts precept, *Matth.*5. 39. *But I ſay unto you, that ye reſiſt not evill, but whoſoever ſhall ſmite thee on the right cheek, turn to him the other alſo*, &c.

Alſo of the fifth law, concerning mercy.

VIII. Among infinite other places which prove the fifth law, theſe are ſome.

Matth.

Matth.6. 14. If you forgive men their treſpaſſes, your heavenly Father will alſo forgive you: but if you forgive not men their treſpaſses, neither will your Father forgive your treſpaſses. Math. 18. 21. *Lord how oft ſhall my Brother ſinne againſt me, and I forgive him? till ſeven times? Jeſus ſaith unto him, I ſay not till ſeven times, but till ſeventy times ſeven times:* that is, *toties quoties.*

IX. For the confirmation of the ſixth law, all thoſe plaees are pertinent which command us to ſhew *mercy*; ſuch as *Mat. 5. 7. Bleſsed are the mercifull, for they ſhall obtain mercy.* Levit. 19. 18. *Thou ſhalt not avenge, nor bear any grudge againſt the children of thy people.* But there are, who not onely think this law is not proved by Scripture, but plainly diſproved from hence, that there is an eternall puniſhment reſerved for the wicked after death, where there is no place either for amendment, or example. Some reſolve this objection by anſwering, That God, whom no law reſtrains, refers all to his glory, but that man muſt not doe ſo; as if God ſought his glory, (that is to ſay) pleaſed himſelfe in the death of a ſinner. It is more rightly anſwered, that the inſtitution of eternall puniſhment was before ſin, and had regard to this onely, that men might dread to commit ſinne for the time to come.

Alſo of the ſixth law, that puniſhment onely looks at the future.

X. The words of Chriſt prove this ſeventh, *Matth. 5. 22. But I ſay unto you, That whoſoever is angry with his brother without a cauſe, ſhall be in danger of the judgement, and whoſoever ſhall ſay unto his Brother* Racha, *ſhall be in danger of the Counſell, but whoſoever*

Alſo of the ſeventh law, concerning ſlander.

ver shall say, thou foole, shall be in danger of hell fire. Prov. 10. 18. *Hee that uttereth a slander is a foole.* Prov. 14. 21. *Hee that despiseth his neighbour, sinneth.* 15. 1. *Grievous words stir up anger.* Prov. 22. 10. *Cast out the scorner, and contention shall goe out, and reproach shall cease.*

Also of the eighth, against pride

XI. The eighth law of acknowledging equality of nature, that is, of *humility*, is established by these places. *Mat.* 5. 3. *Blessed are the poor in spirit, for theirs is the Kingdom of heaven.* Prov. 6. 16, 19. *These six things doth the Lord hate, yea seven are an abomination unto him: A proud look*, &c. Prov. 16. 5. *Every one that is proud is an abomination unto the Lord, though hand joyne in hand, he shall not be unpunished.* 11. 2. *When pride cometh, then cometh shame, but with the lowly, is wisdome.* Thus *Isay* 40. 3. (where the *comming* of the *Messias* is shewed forth, for preparation towards his Kingdome) *The voyce of him that cryed in the wilderness, was this: Prepare ye the way of the Lord, make strait in the desart a high way for our God. Every valley shall be exalted, and every mountain, and hill, shall be made low*; which doubtlesse is spoken to men, and not to mountains.

Also of the ninth, of equity.

XII. But that same *Equity* which we prov'd in the ninth place to be a *Law of Nature*, which commands every man to allow the same Rights to others they would be allow'd themselves, and which containes in it all the other Lawes besides, is the same which *Moses* sets down, *Levit.* 19. 18. *Thou shalt love thy neighbour as thy self*; and our Saviour calls it the *summe of the morall Law*,

Mat.

Mat. 22.36. *Master, which is the great Commandement in the Law? Jesus said unto him, Thou shalt love the Lord thy God with all thine heart, and with all thy soul, and with all thy mind; this is the first and great Commandement, and the second is like unto it, Thou shalt love thy neighbour as thy self. On these two Commandements hang all the Law and the Prophets.* But to love our neighbor as our selves, is nothing else, but to grant him all we desire to have granted to our selves.

Also the 10. against respect of Persons.

XIII. By the tenth Law *respect of persons* is forbid; as also by these places following, Mat. 5.45. *That ye may be children of your Father which is in Heaven; for he maketh the sun to rise on the Evill, and on the Good, &c.* Collos. 3.11. *There is neither Greek, nor Jew, circumcision, nor uncircumcision, Barbarian, or Scythian, bond, or free, but Christ is all, & in all.* Acts 10.34. *Of a truth, I perceive, that God is no respecter of Persons.* 2 Chron. 19.7. *There is no iniquity with the Lord our God, nor respect of persons, nor taking of gifts.* Eccluſ. 35.12. *The Lord is Judge, and with him is no respect of Persons.* Rom. 2.11. *For there is no respect of persons with God.*

Also of the 11. Law, Of having those things in common which cannot be divided.

XIV. The eleventh Law, which commands *those things to be held in common which cannot be divided*, I know not whether there be any expresse place in Scripture for it, or not; but the practise appears every where in the common use of Wels, Wayes, Rivers, sacred things, &c. for else men could not live.

Also of the 12. Of things to be divided by Lot.

XV. We said in the twelfth place, that it was a Law of Nature, *That where things could neither be divided, nor possess'd in cõmon, they should be dispos'd by lot*, which is confirm'd

firm'd as by the example of *Moſes*, who by Gods command, *Numb.6.* 34. divided the ſeverall parts of the land of promiſe unto the Tribes by *Lot*: So *Acts* 1. 24. by the example of the Apoſtles, who receiv'd *Matthias*, before *Juſtus*, into their number, by caſting *Lots*, and ſaying, *Thou Lord, who knoweſt the hearts of all men, ſhew whether of theſe two thou haſt choſen, &c.* Prov. 16. 33. *The lot is caſt into the lappe, but the whole diſpoſing thereof is of the Lord.* And which is the thirteenth Law the Succeſſion was due unto *Eſau*, as being the Firſt-born of *Iſaac*, if himſelf had not ſold it, (*Gen.* 25. 30.) or that the Father had not otherwiſe appointed.

Alſo of appointing a Judge.

XVI. Saint *Paul* writing to the *Corinthians*, Epiſt. 1. Chap. 6. reprehends the *Corinthians* of that City for going to Law one with another before infidell Judges who were their enemies, calling it a fault, that they would not rather take wrong, and ſuffer themſelves to be defrauded; for that is againſt that *Law*, whereby we are commanded *to be helpful to each other*. But if it happen the Controverſie be concerning things neceſſary, what is to be done? Therefore the Apoſtle, *Ver.* 5. ſpeaks thus, *I ſpeak to your ſhame. Is it ſo that there is not one wiſe man among you, no, not one that ſhall be able to judge between his brethren?* He therefore, by thoſe words confirmes that Law of Nature which we call'd the fifteenth, to wit, Where Controverſies cannot be avoided, there by the conſent of Parties to appoint ſome Arbiter, and him ſome third man; ſo as (which is the 16 Law) neither of the Parties

ties may be judge in his own Cauſe.

XVII. But that the *Judge*, or *Arbiter*, muſt receive no reward for his Sentence, (which is the 17. Law) appears, *Exod.* 23. 8. *Thou ſhalt take no gift; for the gift blindeth the wiſe, and perverteth the words of the righteous.* Eccluſ. 21. 29. *Preſents and gifts blind the eyes of the wiſe.* Whence it followes, that he muſt not be more oblig'd to one part then the other, which is the 19. Law, and is alſo confirm'd, *Deut.* 1. 17. *Ye ſhall not reſpect perſons in Judgment, ye ſhall hear the ſmall as well as the great*; and in all thoſe places which are brought againſt reſpect of Perſons.

Alſo of the 17. Law, That the Arbiters muſt receive no reward for their Sentence.

XVIII. That in the judgement of *Fact*, *witneſſes* muſt be had, (which is the 18. Law) the Scripture not only confirmes, but requires more then one, *Deut.* 17. 6. *At the mouth of two witneſſes, or three witneſſes, ſhall he that is worthy of death be put to death.* The ſame is repeated, *Deut.* 19. 15.

Alſo of the 18. concerning Witneſſes.

XIX. *Drunkenneſſe*, which we have therefore in the laſt place numbred among the breaches of the *Naturall Law*, becauſe it hinders the uſe of right Reaſon, is alſo forbid in ſacred Scripture for the ſame reaſon. *Prov.* 20. 1. *Wine is a mocker, ſtrong drink is raging, whoſoever is deceived thereby is not wiſe.* And Chap. 31. 4, 5. *It is not for Kings to drink wine, leſt they drink, and forget the Law, and pervert the judgement of any of the afflicted*: but that we might know that the malice of this vice conſiſted not formally in the quantity of the drink, but in that it deſtroyes Judgement and Reaſon, it followes in the next Verſe,

Alſo of the 20. Law, againſt Drunkenneſſe.

Give

Give ſtrong drink to him that is ready to periſh, and wine to thoſe that be heavy of heart. Let him drink, and forget his poverty, and remember his miſery no more. Chriſt uſeth the ſame reaſon in prohibiting *drunkeneſſe*, Luk. 21.34. *Take heed to your ſelves, leſt at any time your hearts be overcharg'd with ſurfetting and drunkenneſſe.*

Alſo in reſpect of that which hath been ſaid, that the Law of Nature is eternall.

XX. That we ſaid in the foregoing Chapter, *The Law of Nature is eternall*, is alſo prov'd out of the fifth of S. *Matth.* 18. *Verily I ſay unto you, till Heaven and Earth paſſe, one jot, or one tittle, ſhall in no wiſe paſſe frō the Law*, and *Pſal.* 119.v.160. *Every one of thy righteous judgements endureth for ever.*

Alſo that the Lawes of Nature doe pertain to Conſcience.

XXI. We alſo ſaid, That the *Lawes of Nature had regard chiefly unto Conſcience*; that is, that he is *juſt*, who by all poſſible endeavour ſtrives to fulfill them. And although a man ſhould order all his actions (ſo much as belongs to externall obedience) juſt as the Law commands, but not for the Lawes ſake, but by reaſon of ſome puniſhment annext unto it, or out of Vain glory, yet he is *unjuſt*. Both theſe are proved by the Holy Scriptures. The firſt, *Eſay* 55. 7. *Let the wicked forſake his way, and unrighteous man his thoughts, and let him return unto the Lo d, and he wil have mercy upon him, and to our God, for he will abundantly pardon.* Ezek. 18. 31. *Caſt away from you all your tranſgreſſions wherby you have tranſgreſſed, & make you a new heart, and a new ſpirit; for why will you die O houſe of Iſrael?* By which, and the like places, we may ſufficiently underſtand that God will not puniſh their deeds whoſe heart is right. The ſecond

our

out of the 29. of *Isay* 13. *The Lord said, Forasmuch as this people draw near me with their mouth, and with their lips doe honour me, but have removed their heart far from me, therefore I will proceed, &c.* Mat. 5. 20. *Except your righteousnesse shall exceed the righteousnesse of the Scribes and Pharisees ye shall in no case enter into the Kingdom of Heaven*; and in the following verses our *Saviour* explains to them how that the commands of God are broken, not by Deeds only, but also by the Will; for the Scribes and Pharises did in outward act observe the Law most exactly, but for Glories sake onely; else they would as readily have broken it. There are innumerable places of Scripture in which is most manifestly declar'd that God accepts the Will for the Deed, and that as well in good, as in evill actions.

Also that the lawes of nature are easily observ'd.

XXII. That the Law of Nature is easily kept, Christ himself declares in the 11. Chapter of Saint *Matthew* 28, 29, 30. *Come unto me, &c. Take my yoke upon you, and learn of me, &c. for my yoke is easie, and my burthen light.*

Lastly in respect of the Rule by which a man may presently know whether what he is about to act be against the law of nature, or not.

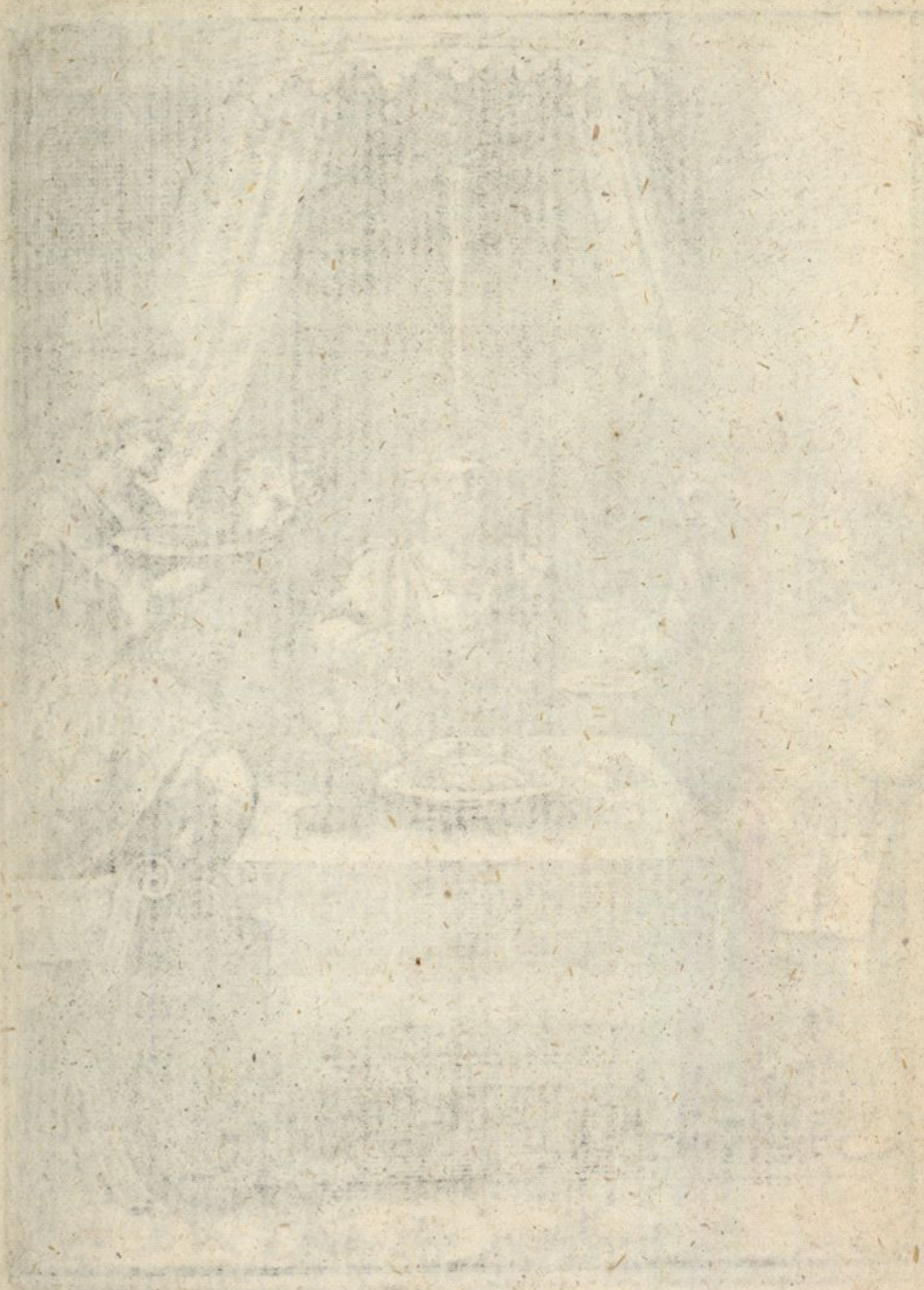
XXIII. Lastly, the Rule by which I said any man might know whether what he was doing, were contrary to the Law, or not, to wit, what thou wouldst not be done to, doe not that to another, is almost in the self same words delivered by our Saviour, *Mat. 7. 12. Therefore all things whatsoever ye would that men should do unto you, do you even so to them.*

The law of Christ is the law of nature.

XXIV. As the *law of nature* is all of it *Divine*, so the *Law of Christ* by conversion, (which is wholly explain'd in the 5, 6, and

and 7. Chapter of S. *Matthewes* Gospell) is all of it also (except that one Commandement of not marrying her who is put away for adultery, which Christ brought for explication of the divine positive Law, against the Jewes, who did not rightly interpret the *Mosaicall Law*) the doctrine of Nature: I say the whole Law of Christ is explain'd in the fore-named Chapters, not the whole Doctrine of Christ; for *Faith* is a part of Christian Doctrine, which is not commprehended under the title of a *Law*; for Lawes are made, and given, in reference to such *actions* as follow our will, not in order to our *Opinions*, and *Belief*, which being out of our power, follow not the Will.

CHAP.



Quisquamne regno gaudet? O fallax bonum!
Quantum malorum fronte quam blanda tegis?
Necesse est ut multos timeat, quem multi timent.
Auro venenum bibitur: expertus loquor.

DOMINION.

CHAP. V.

Of the causes, and first beginning of civill Government.

I. *That* the Lawes of Nature *are not sufficient to preserve Peace.* II. *That the* Lawes of Nature, *in the* state of nature, *are silent.* III. *That the security of living according to the* Lawes of Nature *consists in the concord of many Persons.* IV. *That the* concord *of many Persons is not constant enough for a lasting Peace.* V. *The reason Why the government of certain bruit creatures stands firm in concord onely, and why not of men.* VI. *That not onely* consent, *but* union *also, is required to establish the Peace of men.* VII. *What*

union *is.* VIII. *In* union *the Right of all men is conveighed to one.* IX. *What* civill ſociety *is.* X. *What* a civill Perſon *is.* XI. *What it is to* have the ſupreme power, *and what to be a* ſubject. XII. *Two kindes of Cities*, naturall, *and by* inſtitution.

That the Lawes of nature ſuffice not for the conſervation of Peace.

IT is of it ſelfe manifeſt, that the actions of men proceed from the will, and the will from hope, and feare, inſomuch as when they ſhall ſee a *greater good*, or *leſſe evill*, likely to happen to them by the breach, then obſervation of the Lawes, they'l wittingly violate them. The hope therefore which each man hath of his ſecurity, and ſelf-preſervation, conſiſts in this, that by force or craft he may diſappoint his neighbour, either openly, or by ſtratagem. Whence we may underſtand, that the *naturall lawes*, though well underſtood, doe not inſtantly ſecure any man in their practiſe, and conſequently, that as long as there is no caution had from the invaſion of others, there remains to every man that ſame *primitive* Right of ſelfe-defence, by ſuch means as either he can or will make uſe of (that is) a *Right to all things*, or the *Right of warre*; and it is ſufficient for the fulfiling of the *naturall law*, that a man be prepared in mind to embrace Peace when it may be had.

II.

II. It is a fond saying, That *all lawes are silent in the time of warre*, and it is a true one, not onely if we speak of the *civill*, but also of the *naturall lawes*, provided they be referr'd not to the mind, but to the actions of men, by the third Chapter, *Act.* 29. and we mean such a war as is of all men against all men; such as is the *meer state of nature*; although in the warre of nation against nation a certain mean was wont to be observed. And therefore in old time there was a manner of living, and as it were a certain œconomy, which they called λησρικὴν, *living by Rapine*, which was neither against the law of nature, (things then so standing) nor voyd of glory to those who exercised it with valour, not with cruelty. Their custome was, taking away the rest, to spare life, and abstain from Oxen fit for plough, and every instrument serviceable to husbandry, which yet is not so to be taken, as if they were bound to doe thus by the law of nature, but that they had regard to their own glory herein, lest by too much cruelty, they might be suspected guilty of feare.

That the Lawes of nature, in the state of nature, are silent.

III. Since therefore the exercise of the *naturall law* is necessary for the preservation of Peace, and that for the exercise of the *naturall law security* is no lesse necessary, it is worth the considering what that is which affords such a security: for this matter nothing else can be imagined, but that each man provide himselfe of such meet helps, as the invasion of one on the other may bee rendered so dangerous, as either of them may think it better to refrain, then to meddle. But first it is plain, that the con-

That the security of living according to the Lawes of nature, consists in the agreement of many.

ſent of two or three cannot make good ſuch a ſecurity; becauſe that the addition but of one, or ſome few on the other ſide, is ſufficient to make the victory undoubtedly ſure, and hartens the enemy to attacque us. It is therefore neceſſary, to the end the ſecurity ſought for may be obtained, that the number of them who conſpire in a mutuall aſſiſtance be ſo great, that the acceſſion of ſome few to the enemies party may not prove to them a matter of moment ſufficient to aſsure the victory.

That the agreement of many is not conſtant enough to preſerve a laſting Peace.

IV. Farthermore, how great ſoever the number of them is who meet on ſelfe-defence, if yet they agree not among themſelves of ſome excellent means whereby to compaſſe this, but every man after his own manner ſhall make uſe of his endeavours, nothing will be done; becauſe that divided in their opinions they will be an hinderance to each other, or if they agree well enough to ſome one action through hope of victory, ſpoyle, or revenge, yet afterward through diverſity of wits, and Counſels, or emulation, and envy, with which men naturally contend, they will be ſo torne and rent, as they will neither give mutuall help, nor deſire peace, except they be conſtrained to it by ſome common feare. Whence it followes, that the *conſent* of many, (which conſiſts in this onely, as we have already defined in the foregoing ſection, that they direct all their actions to the ſame end, and the *common good*) that is to ſay, that the ſociety proceeding from mutuall help onely, yeelds not that ſecurity which they ſeek for, who meet, and agree in the exerciſe of the above-

above-named *lawes of nature*; but that ſomewhat elſe muſt be done, that thoſe who have once conſented for the *common good*, to peace and mutuall help, may by fear be reſtrained, leſt afterward they again diſſent, when their private *Intereſt* ſhall appear diſcrepant from the *common good*.

V. *Ariſtole* reckons among thoſe animals which he calls Politique, not man only, but divers others; as the *Ant*, the *Bee*, &c. which though they be deſtitute of reaſon, by which they may contract, and ſubmit to government, notwithſtanding by conſenting, (that is to ſay) enſuing, or eſchewing the ſame things, they ſo direct their actions to a common end, that their meetings are not obnoxious unto any ſeditions. Yet is not their gathering together a *civill government*, and therefore thoſe animals not to be termed *politicall*, becauſe their government is onely a conſent, or many wills concurring in one object, not (as is neceſſary in civill government) one will. It is very true that in thoſe creatures, living only by ſenſe and appetite, their *conſent* of minds is ſo durable, as there is no need of any thing more to ſecure it, and (by conſequence) to preſerve peace among them, then barely their naturall inclination. But among men the caſe is otherwiſe. For firſt among them there is a conteſtation of honour and preferment; among beaſts there is none: whence *hatred* and *envy*, out of which ariſe ſedition and warre, is among men, among beaſts no ſuch matter. Next, the naturall appetite of Bees, and the like creatures, is conformable, and they deſire the common

Why the government of ſome bruit creatures ſtands firm in concord alone, and not ſo of men.

good which among them differs not from their private; but man ſcarce eſteems any thing good which hath not ſomewhat of eminence in the enjoyment, more then that which others doe poſſeſſe. Thirdly, thoſe creatures which are voyd of reaſon, ſee no defect, or think they ſee none, in the adminiſtration of their Common-weales; but in a multitude of men there are many who ſuppoſing themſelves wiſer then others, endeavour to innovate, and divers Innovators innovate divers wayes, which is a meer diſtraction, and civill warre. Fourthly, theſe brute creatures, howſoever they may have the uſe of their voyce to ſignify their affections to each other, yet want they that ſame art of words which is neceſſarily required to thoſe motions in the mind, whereby good is repreſented to it as being better, and evill as worſe then in truth it is; But the tongue of man is a trumpet of warre, and ſedition; and it is reported of *Pericles*, that he ſometimes by his elegant ſpeeches thundered, and lightened, and confounded whole *Greece* it ſelfe. Fiftly, they cannot diſtinguiſh between *injury* and *harme*; Thence it happens that as long as it is well with them, they blame not their fellowes: But thoſe men are of moſt trouble to the Republique, who have moſt leaſure to be idle; for they uſe not to contend for publique places before they have gotten the victory over hunger, and cold. Laſt of all, the conſent of thoſe brutall creatures is naturall, that of men by compact onely, (that is to ſay) artificiall; it is therefore no matter of wonder if ſomewhat more be needfull

full for men to the end they may live in peace. Wherefore *conſent*, or contracted *ſociety*, without ſome common power whereby particular men may be ruled through feare of puniſhment, doth not ſuffice to make up that ſecurity which is requiſite to the exerciſe of *naturall juſtice.*

VI. Since therefore the *conſpiring* of many wills to the ſame end doth not ſuffice to preſerve peace, and to make a laſting defence, it is requiſite that in thoſe neceſſary matters which concern Peace and ſelfe-defence, there be but *one will* of all men. But this cannot be done, unleſſe every man will ſo ſubject *his will* to *ſome other one*, to wit, either *Man* or *Counſell*, that whatſoever his *will* is in thoſe things which are neceſſary to the common peace, it be received for the *wills* of all men in generall, and of every one in particular. Now the gathering together of many men who deliberate of what is to be done, or not to be done, for the common good of all men, is that which I call a *COUNSELL.*

That not onely conſent, but union alſo is required to eſtabliſh the peace of men.

VII. This *ſubmiſſion* of the *wils* of all thoſe men to the *will of one man*, or *one Counſell*, is then made, when each one of them obligeth himſelf by contract to every one of the reſt, not to reſiſt the *will* of that *one man*, or *counſell*, to which he hath ſubmitted himſelfe; that is, that he refuſe him not the uſe of his wealth, and ſtrength, againſt any others whatſoever (for he is ſuppoſed ſtill to retain a Right of defending himſelfe againſt violence) and this is called *UNION.* But we underſtand that to be the *will* of the *counſell*, which is the *will of the major*

What Union is.

part of those men of whom the Counsell consists.

In union, the Right of all men is transferred to one.

VIII. But though the *will* it self be not voluntary, but only the beginning of voluntary actions (for we will not to will, but to *act*) and therefore falls least of all under deliberation, and compact; yet he who submits his will to the will of an other, conveighs to that other the *Right* of his *strength*, and *faculties*; insomuch as when the rest have done the same, he to whom they have submitted hath so much power, as by the terrour of it hee can conforme the wills of particular men unto unity, and concord.

What civill society is.

IX. Now *union* thus made is ca'led a *City*, or *civill society*, and also a *civill Person*; for when there is *one will* of all men, it is to be esteemed for *one Person*, and by the word (*one*) it is to be knowne, and distinguished from all particular men, as having its own Rights and properties; insomuch as neither any one Citizen, nor all of them together (if we except him whose will stands for the will of all) is to be *accounted* the *City*. A CITY therefore (that we may define it) is *one Person*, whose *will*, by the compact of many men, is to be received for the *will* of them all; so as he may use all the power and faculties of each particular person, to the maintenance of peace, and for common defence.

What a civill Person is.

X. But although every *City* be a *civill Person*, yet every *civill Person* is not a *City*; for it may happen that many Citizens, by the permission of the City, may joyne together in *one Person*, for the doing of certain things.

things. These now will be *civill Persons*, as the companies of Merchants, and many other Convents; but *Cities* they are not, because they have not submitted themselves to the will of the company simply, and in all things, but in certain things onely determined by the City; and on such termes as it is lawfull for any one of them to contend in judgement against the *body it selfe of the sodality*, which is by no means allowable to a *Citizen* against the *City*: such like *societies* therefore are *civill Persons* subordinate to the *City*.

What it is to have the supreme power, what to be subject.

XI In every city, That *Man*, or *Counsell*, to whose will each particular man hath subjected his will (so as hath been declared) is said to have the SUPREME POWER, or CHIEFE COMMAND, or DOMINION; which *power*, and *Right of commanding*, consists in this, that each Citizen hath conveighed all his strength and power to that man, or Counsell; which to have done (because no man can transferre his power in a naturall manner) is nothing else then to have parted with his Right of resisting. Each *Citizen*, as also every *subordinate civill Person*, is called the SUBJECT of him who hath the *chiefe command*.

Two kinds of Cities, naturall, and by institution.

XII. By what hath been sayed, it is sufficiently shewed, in what manner, and by what degrees *many naturall persons*, through desire of preserving themselves, and by mutuall feare, have growne together into *a civill Person*, whom we have called a *City*; But they who submit themselves to another for feare, either submit to him whom they fear,

feare, or ſome other whom they confide in for protection; They act according to the firſt manner who are vanquiſhed in warre, that they may not be ſlain; hey according to the ſ cond, who are not yet overcome, that they may not be overcome. The firſt manner receives its beginning from *naturall power*, and may be called the *naturall beginning* of a City; the latter from the *Counſell*, and *conſtitution* of thoſe who meet together, which is a *beginning* by *inſtitution*. Hence it is, that there are two kinds of *Cities*, the one *naturall*, ſuch as is the *paternall*, and *deſpoticall*; the other *inſtitutive*, which may be alſo called *politicall*. In the firſt the *Lord* acquires to himſelfe ſuch *Citizens* as he will, in the other the *Citizens* by their own wills appoint a *Lord* over themſelves, whether he be *one man*, or *one company of men* endued with the *command in chiefe*. But we will ſpeak in the firſt place of a *City politieall* or by *inſtiution*, and next of a *City naturall*.

Chap. VI.

Of the right of him, whether Counſell, or one Man onely, who hath the ſupreme power in the City.

I. *There can not Right be attributed to a multitude out of civill ſociety, nor any*

any action to which they have not under seale consented. II. *The Right of the greater number consenting, is the beginning of a City.* III. *That every man retains a Right to protect himselfe according to his own free will, so long as there is no sufficient regard had to his security.* IV. *That a* coercive power *is necessary to secure us.* V. *What the* Sword of Justice *is.* VI. *That the* Sword of Justice *belongs to him who hath the* chiefe command. VII. *That the* Sword of War *belongs to him also.* VIII. *All* Judicature *belongs to him too.* IX. *The* Legislative power *is his onely.* X. *The naming of* Magistrates *and other* Officers *of the City belongs to him.* XI. *Also the* Examination of all doctrines. XII. *Whatsoever he doth is* unpunishable. XIII. *That the* command *his Citizens have* granted is absolute, and what proportion of obedience is due to him. XIV. *The* Lawes *of the City* bind *him not.* XV. *That no man can challenge a propriety to any thing against his will.* XVI. *By the Lawes of the*

City

City onely we come to know what theft, murder, adultery, and injury *is.* XVII. *The opinion of those who would constitute a City, where there is no body should have an* absolute power. XVIII. *The marks of* Supreme Authority. XIX. *If a* City *be compar'd with a* Man, *he that hath the* Supreme Power *is in order to the* City, *as the humane soul is in relation to the Man.* XX. *That the* Supreme Command *cannot by Right be dis-solv'd through their consents by whose Compacts it was first constituted.*

There can no Right be attributed to a multitude considered out of civill society, nor any action to which they have not given their particular consents.

I. WE must consider first of all what a (*) *multitude* of men (gathering themselves of their owne free wills into society) is, namely, that it is not any *one body*, but many men, whereof each one hath his owne will, and his peculiar judgment concerning all things that may be propos'd. And though by particular Contracts each single man may have his own *Right*, and *Propriety*, so as one may say *This* is mine, the *other*, *That* is his; yet will there not be any thing of which the whole multitude, as a *Person* distinct from a single man, can rightly say, This is *mine*, more then *anothers*. Neither must we ascribe any action to the multitude, as *it's*

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one, but (if all, or more of them doe agree) it will not be an Action, but as many actions, as Men. For although in ſome great Sedition, it's commonly ſaid, That the *People* of that City have taken up Armes; yet is it true of thoſe onely who are in Armes, or who conſent to them. For the *City*, which is *one Perſon*, cannot take up Armes againſt it ſelfe. Whatſoever therefore is done by the multitude, muſt be underſtood to be done by every one of thoſe by whom it is made up; and that he, who being in the Multitude, and yet conſented not, nor gave any helps to the things that were done by it, muſt be judg'd to have done nothing. Beſides, in a multitude not yet reduc'd into one Perſon, in that manner as hath been ſaid, there remaines that ſame *ſtate of nature* in which *all things belong to all men*, and there is no place for *Meum & Tuum*, which is call'd Dominion, and *Propriety*, by reaſon that that ſecurity is not yet extant which we have declar'd above to be neceſſarily requiſite for the practiſe of the *Naturall Laws*.

Multitude, &c.] *The Doctrine of the power of a City over it's Citizens, almoſt wholly depends on the underſtanding of the difference which is between a multitude of men ruling, and a multitude ruled: For ſuch is the nature of a City, That a multitude, or company of Citizens, not onely may have command, but may alſo be ſubject to command, but in diverſe ſenſes; which difference I did believe was clearly enough explained in this firſt Article; but by the objections of many againſt thoſe things which follow, I diſcern otherwiſe; wherefore it* Annotation.

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seemed good to me, to the end I might make a fuller explication, to adde these few things.

By Multitude, because it is a collective word, we understand more then one, so as a multitude of men is the same with many men; The same word, because it is of the singular number, signifies one thing, namely, one multitude; but in neither sense can a multitude be understood to have one will given to it by nature, but to either a severall; and therefore neither is any one action whatsoever to be attributed to it: Wherefore a Multitude cannot promise, contract, acquire Right, conveigh Right, act, have, possesse, and the like, unlesse it be every one apart, and Man by Man; so as there must be as many promises, compacts, rights, and actions, as Men. Wherefore a Multitude is no naturall Person; but if the same Multitude doe Contract one with another, that the will of one man, or the agreeing wills of the major part of them, shall be received for the will of all, then it becomes one Person; for it is endu'd with a will, and therefore can doe voluntary actions, such as are Commanding, making Lawes, acquiring and transferring of Right, and so forth; and it is oftner call'd the People, then the Multitude. We must therefore distinguish thus. When we say the People, or Multitude, wills, commands, or doth any thing, it is understood that the City which Commands, Wills and Acts by the will of one, or the concurring wills of more, which cannot be done, but in an Assembly: But as oft as any thing is said to be done by a Multitude of Men, whether great, or small, without the will of that man, or assembly of men, that's understood to be done by a subjected People, that is, by many single Citizens together,

gether, and not proceeding from one Will, but from diverſe wills of diverſe men, who are Citizens, and Subjects, but not a City.

II. Next, we muſt conſider that every one of the Multitude (by whoſe meanes there may be a beginning to make up the City) muſt agree with the reſt, that in thoſe matters which ſhall be propounded by any one in the Aſſembly, that be received for the will of all which the major part ſhall approve of; for otherwiſe there will be no will at all of a Multitude of Men, whoſe Wills and Votes differ ſo variouſly. Now if any one will not conſent, the reſt notwithſtanding ſhall among themſelves conſtitute the City without him: Whence it will come to paſſe, that the City retaines its primitive Right againſt the Diſſentour, that is, the *Right of War*, as againſt an Enemy.

The beginning of a City is the Right of the major part agreeing.

III. But becauſe we ſaid in the foregoing Chapter, the ſixth Article, That there was requir'd to the ſecurity of men, not onely their Conſent, but alſo the Subjection of their wills in ſuch things as were neceſſary to Peace and Defence; and that in that *Union*, and *Subjection*, the nature of a *City* conſiſted; We muſt diſcerne now in this place, out of thoſe things which may be propounded, diſcuſs'd, and ſtated in an Aſſembly of men, (all whoſe wills are contain'd in the will of the major part) what things are *neceſſary to Peace*, and common defence: But firſt of all, it is neceſſary to Peace, that a man be ſo farre forth protected againſt the violence of others, that he may live ſecurely, that is, that he may have no

That every man retains a right of protecting himſelf according to his owne judgement, as long as he is not ſecured.

no juſt cauſe to fear others, ſo long as he doth them no injury. Indeed, to make men altogether ſafe from mutuall harmes, ſo as they cannot be hurt, or injuriouſly kill'd, is impoſſible, and therefore comes not within deliberation, but care may be had there be no juſt cauſe of fear; for ſecurity is the end wherefore men ſubmit themſelves to others, which if it be not had, no man is ſuppos'd to have ſubmitted himſelfe to ought, or to have quitted his Right to all things, before that there was a care had of his ſecurity.

That a coercive power is neceſſary for ſecurity.

IV. It is not enough to obtain this ſecurity, that every one of thoſe who are now growing up into a City, doe covenant with the reſt, either by words, or writing, *Not to ſteal, not to kill*, and to obſerve the like Lawes; for the pravity of humane diſpoſition is manifeſt to all, and by experience too well known how little (removing the puniſhment) men are kept to their duties, through conſcience of their promiſes. We muſt therefore provide for our ſecurity, not by *Compacts*, but by *Puniſhments*; and there is then ſufficient proviſion made, when there are ſo great puniſhments appointed for every injury, as apparently it prove a greater evill to have done it, then not to have done it: for all men, by a neceſſity of nature, chuſe that which *to them appears to be the leſſe evill.*

What the Sword of Juſtice is.

V. Now the right of puniſhing is then underſtood to be given to any one, when every man Contracts not to aſſiſt him who is to be puniſhed. But I will call this *Right, The Sword of Juſtice.* But theſe kind of

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contracts men obſerve well enough, for the moſt part, till either themſelves, or their near friends are to ſuffer.

VI. Becauſe therefore for the ſecurity of particular men, and, by conſequence for the common peace, it is *neceſſary* that the *right* of uſing the *Sword* for puniſhment, be transferred to *ſome Man* or *Counſell*, that *Man* or *Counſell* is neceſsarily underſtod by Right to have the *ſupreme power* in the City. For he that by Right puniſheth at his own diſcretion, by Right compells all men to all things which he himſelfe wills; then which a greater command cannot be imagined.

That the Sword of Juſtice belongs to him who hath the chiefe command.

VII. But in vain doe they worſhip peace at home, who cannot defend themſelves againſt forrainers; neither is it poſſible for them to protect themſelves againſt forrainers, whoſe forces are not united; and therefore it is *neceſſary* for the preſervation of particulars, that there be ſome *one Counſell*, or *one man*, who hath the Right to arm, to gather together, to unite ſo many Citizens in all dangers, and on all occaſions, as ſhall be needfull for common defence againſt the certain number, and ſtrength of the enemy; and again, (as often as he ſhall finde it expedient) to make peace with them. We muſt underſtand therefore, that particular Citizens have conveighed their whole *Right of Warre*, and *Peace*, unto ſome *one Man* or *Counſell*; And that this right (which we may call the *Sword of Warre*) belongs to the ſame *Man*, or *Counſell*, to whom the *Sword of Juſtice* belongs; for no Man can by Right compell Citizens to take up armes, and be

That the Sword of Warre belongs to him alſo.

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at the expences of Warre, but he who by Right can punish him who doth not obey. Both *Swords* therefore, as well this of *War*, as that of *Justice*, even by the constitution it selfe of a City, and essentially, doe belong to the *chiefe command*.

The power of Judicature belongs to him.

VIII. But because the *right of the Sword* is nothing else but to have power by right to use the sword at his own will, it followes, that the *judgement* of its right use pertaines to the same party*: for if the *power of judging* were in one, and the power of executing in another, nothing would be done. For in vain would he give judgement, who could not execute his commands, or if he executed them by the power of another, he himselfe is not said to have the *power of the Sword*, but that other, to whom he is onely an Officer. All *judgement* therefore in a *City* belongs to him who hath the swords, (*i. e.*) to him, who hath the *supreme authority*.

The Legislative power is his also.

IX. Furthermore, since it no lesse, nay it much more conduceth to Peace to prevent brawles from arising, then to appease them being risen; and that all controversies are bred from hence, that the opinions of men differ concerning *Meum & Tuum*, *just and unjust*, *profitable and unprofitable*, *good and evill*, *honest and dishonest*, and the like, which every man esteems according to his own judgement; it belongs to the same *chiefe power* to make some common Rules for all men, and to declare them publiquely, by which every man may know what may be called *his*, what *anothers*, what *just*, what *unjust*, what *honest*, what *dishonest*,

veſt, what *good*, what *evill*, that is ſummarily, what is *to be done*, what to be *avoyded* in our common courſe of life. But thoſe Rules and meaſures are uſually called the *civill Lawes*, or the *Lawes of the City*, as being the *Commands* of him who hath the *ſupreme power* in the *City*. And the *CIVILL LAWES* (that we may define them) are nothing elſe but the commands of him who hath the *chiefe authority* in the City, for direction of the future actions of his Citizens.

X. Furthermore, ſince the affaires of the City, both thoſe of *Warre*, and *Peace*, cannot poſſibly be all adminiſtred by *one man*, or *one Counſell*, without *Officers* and *ſubordinate Magiſtrates*, and that it appertains to Peace, and common defence, that they to whom it belongs juſtly to judge of controverſies, to ſearch into neighbouring counſels, prudently to wage war, and on all hands warily to attend the benefit of the City, ſhould alſo rightly exerciſe their offices; it is conſonant to reaſon, that they depend on, and be choſen by him who hath the *chiefe command* both in *War*, and in *Peace*.

That the naming of Magiſtrats and Officers, belongs to him alſo.

XI. It is alſo manifeſt, that all voluntary actions have their beginning from, and neceſſarily depend on the will, and that the will of doing, or omitting ought, depends on the opinion of the *good* and *evill* of the *reward*, or *puniſhment*, which a man conceives he ſhall receive by the act, or omiſſion; ſo as the actions of all men are ruled by the opinions of each; wherefore by evident and neceſſary inference, we may underſtand that it very much concerns the intereſt of Peace,

The Examination of doctrines belongs to him likewiſe.

Peace, that no opinions or doctrines be delivered to Citizens, by which they may imagine, that either by Right they may not obey the *Lawes* of the City, that is, the commands of that *man*, or *Counſell*, to whom the ſupreme power is committed, or that it is lawfull for to reſiſt him, or that a leſſe puniſhment remaines for him that denies, then him that yeelds obedience. For if one command ſomewhat to be done under penalty of naturall death, another forbids it under pain of eternall death, and both by their own Right, it will follow that the Citizens, although innocent, are not onely by Right puniſhable, but that the City it ſelfe is altogether diſsolved; for no man can ſerve two Maſters: nor is he leſſe, but rather more, a Maſter, whom we believe we are to obey for feare of damnation, then he whom we obey for feare of temporall death. It followes therefore, that this one, whether *Man*, or *Court*, to whom the City hath committed the *ſupreme power*, have alſo this Right, That he both (*) judge what opinions and doctrines are enemies unto peace, and alſo that he forbid them to be taught.

Annotation. Judge what opinions, &c.] *There is ſcarce any Principle, neither in the worſhip of God, nor humane ſciences, from whence there may not ſpring diſſentions, diſcords, reproaches, and by degrees war it ſelfe; neither doth this happen by reaſon of the falſhood of the Principle, but of the diſpoſition of men, who ſeeming wiſe to themſelves, will needs appear ſuch to all others: But though ſuch diſſentions cannot be hindered from ariſing, yet may they be reſtrained by the exerciſe of the ſupreme power, that they prove*

no hinderance to the publique peace. Of these kind of opinions therefore I have not spoken of in this place. There are certain doctrines wherewith Subjects being tainted, they verily believe that obedience may be refused to the City, and that by Right they may, nay ought, to oppose, and fight against chiefe Princes, and dignities. Such are those, which whether directly, and openly, or more obscurely, and by consequence require obedience to be given to others beside them to whom the supreme authority is committed. I deny not, but this reflects on that power which many living under other government, ascribe to the chiefe head of the Church of Rome, *and also on that, which elsewhere out of that Church, Bishops require in theirs, to be given to them; and last of all, on that liberty which the lower sort of Citizens under pretence of Religion doe challenge to themselves; for what civill war was there ever in the Christian world, which did not either grow from, or was nourisht by this Root? The judgement therefore of doctrines, whether they be repugnant to civill obedience or not, and if they be repugnant, the power of prohibiting them to be taught, I doe here attribute to the civill authority; for since there is no man who grants not to the City the judgement of those things which belong to its Peace, and defence, and it is manifest, that the opinions which I have already recited do relate to its Peace, it follows necessarily, that the examination of those opinions, whether they be such, or not, must be referred to the City, that is, to him who hath the supreme authority.*

Whatsoever he doth is unpunishable.

XII. Last of all, from this consideration, that each Citizen hath submitted his Will to his who hath the *Supreme Command* in

in the City, ſo as he may not employ his ſtrength againſt him; it followes manifeſtly, that whatſoever ſhall be done by him who commands, muſt not be puniſht; for as he who hath not power enough, cannot puniſh him naturally; ſo neither can he puniſh him by Right, who by Right hath not ſufficient power.

That he hath an abſolute dominion granted him by his Citizens, and what proportion of obedience is due unto him.

XIII. It is moſt manifeſt by what hath been ſaid, That in every perfect City (that is, where no Citizen hath *Right* to uſe his faculties, at his owne diſcretion, for the preſervation of himſelfe, or where the *Right of the private Sword* is excluded) there is a *Supreme power* in ſome one, greater then which cannot by Right be conferr'd by men, or greater then which no mortall man can have over himſelf. But that power, greater then which cannot by men, be conveigh'd on a man, we call (*) ABSOLUTE: for whoſoever hath ſo ſubmitted his will to the will of the City, *That he can, unpuniſht, doe any thing, make Lawes, judge Controverſies, ſet Penalties*, make uſe, at his own pleaſure, of the *ſtrength*, and *wealth of men*, and all this by Right, truly he hath given him the greateſt dominion that can be granted. This ſame may be confirm'd by experience in all the Cities which are, or ever have beene; for though it be ſometimes in doubt, *what Man*, or *Counſell*, hath the *Chief Command*, yet ever there is ſuch a Command, and alwayes exercis'd, except in the time of Sedition, and Civill War, and then there are two *Chiefe Commands* made out of one: Now thoſe ſeditious perſons who diſpute againſt

againſt abſolute Authority, doe not ſo much care to deſtroy it, as to conveigh it on others; for removing this power, they together take away Civill Society, and a confuſion of all things returnes. There is ſo much obedience joyn'd to this abſolute Right of the Chief Ruler, as is neceſſarily requir'd for the Government of the City, that is to ſay, ſo much as that Right of his may not be granted in vaine. Now this kind of obedience, although for ſome reaſons it may ſometimes, by Right, be deny'd, yet becauſe a greater cannot be perform'd, we will call it SIMPLE. But the obligation to performe this growes not immediately from that Contract by which we have conveigh'd all our Right on the City, but mediately from hence, That, without obedience, the Citics Right would be fruſtrate, and by conſequence there would be no City conſtituted. For it is one thing if I ſay, I give you Right to Command what you will; another, if I ſay, I will doe whatſoever you Command; and the Command may be ſuch, as I would rather die then doe it; foraſmuch therefore as no man can be bound to will being kill'd, much leſſe is he tyed to that, which to him is worſe then death: if therefore I be commanded to kill my ſelf, I am not bound to doe it; for though I deny to doe it, yet the Right of dominion is not fruſtrated, ſince others may be found, who being commanded, will not refuſe to doe it; neither doe I refuſe to doe that which I have contracted to doe. In like manner, if the Chief Ruler command any man to kill

him, he is not tyed to doe it, becauſe it cannot be conceiv'd that he made any ſuch Covenant; nor if he command to execute a Parent, whether he be innocent, or guilty, and condemned by the Law, ſince there are others, who, being commanded, will doe that, and a Son will rather die, then live infamous, and hated of all the world. There are many other caſes, in which, ſince the Commands are ſhamefull to be done by ſome, and not by others, Obedience may, by Right, be perform'd by theſe, and refus'd by thoſe; and this, without breach of that abſolute Right which was given to the Chief Ruler. For in no caſe is the Right taken away from him, of ſlaying thoſe who ſhall refuſe to obey him. But they who thus kill men, although by Right given them from him that hath it, yet if they uſe that Right otherwiſe then right Reaſon requires, they ſin againſt the Lawes of Nature, (that is) againſt God.

Annotation. Abſolute] *A popular ſtate openly challengeth abſolute dominion, and the Citizens oppoſe it not, for in the gathering together of many men, they acknowledge the face of a City; and even the unskilfull underſtand, that matters there are rul'd by Counſell. Yet Monarchy is no leſſe a City, then Democraty, and abſolute Kings have their Counſellours, from whom they will take advice, and ſuffer their power, in matters of greater conſequence, to be guided, but not recall'd. But it appears not to moſt men how a City is contain'd in the Perſon of a King; and therefore they object againſt Abſolute Command: Firſt, that if any man had ſuch a Right, the condition of the Citizens would*

would be miserable: For thus they think, He will take all, spoil all, kill all; and every man counts it his onely happinesse that he is not already spoil'd and kill'd. But why should he doe thus? not because he can; for unlesse he have a mind to it, he will not doe it. Will he, to please one, or some few, spoil all the rest? First, though by Right, that is, without injury to them, he may doe it, yet can he not doe it justly, that is, without breach of the Naturall Lawes, and injury against God. And therefore there is some security for Subjects in the Oaths which Princes take. Next, if he could justly doe it, or that he made no account of his Oath, yet appeares there no reason why he should desire it, since he findes no good in it. But it cannot be deny'd but a Prince may sometimes have an inclination to doe wickedly; but grant then that thou hadst given him a power which were not absolute, but so much onely as suffic'd to defend thee from the injuries of others, which, if thou wilt be safe, is necessary for thee to give; are not all the same things to be feared? for he that hath strength enough to protect all, wants not sufficiency to oppresse all. Here is no other difficulty then, but that humane affaires cannot be without some inconvenience. And this inconvenience it self is in the Citizens, not in the Government; for if men could rule themselves, every man by his own command, that's to say, could they live according to the Lawes of Nature, there would be no need at all of a City, nor of a common coercive power. Secondly, they object, That there is no Dominion in the Christian world Absolute; which indeed is not true, for all Monarchies, and all other States, are so; for although

they, who have the chief Command, doe not all those things they would, and what they know profitable to the City, the reason of that is not the defect of Right in them, but the consideration of their Citizens, who busied about their private interest, and careless of what tends to the publique, cannot sometimes be drawn to performe their duties without the hazard of the City. Wherefore Princes sometimes forbear the exercise of their Right, and prudently remit somewhat of the act, but nothing of their Right.

That he is not tied to observe the Lawes of the City.

XIV. Neither can any man give somewhat to himselfe; for he is already suppos'd to have what he can give himself; nor can he be oblig'd to himselfe, for the same Party being both *the obliged*, and *the Obliger*, and the Obliger having power to release the obliged, it were meerly in vain for a man to be obliged to himselfe, because he can release himself at his own pleasure; and he that can doe this, is already actually free. Whence its plaine, that the City is not tyed to the *Civill Lawes*; for the Civill Lawes are the Lawes of the City, by which, if she were engag'd, she should be engag'd to her selfe. Neither can the City be oblig'd to her Citizen, because, if he will, he can free her from her obligation; and he will, as oft as she wills, (for the will of every Citizen is in all things comprehended in the will of the City) the City therefore is free when she pleaseth, that is, she is now actually free; but the will of a *Councell*, or *one* who hath the *Supreme Authority* given him, is the will of the City; he therefore containes the wills of all particular Citizens: Therefore neither is

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he bound to the *Civill Lawes* (for this is to be bound to himself) nor to any of his Citizens.

XV. Now because (as hath been shewn above) before the constitution of a City *all things belong'd to all men*, nor is there that thing which any man can so call *his*, as any other may not, by the same Right, claime as *his own*, (for where all things are *common*, there can be nothing *proper* to any man) it followes, that (*) *propriety* receiv'd its beginning when Cities receiv'd theirs, and that that onely is *proper* to each man which he can keep by the Lawes, and the power of the whole City, (that is) of him on whom its *chief command* is conferr'd. Whence we understand, that each particular Citizen hath a *propriety*, to which none of his fellow-Citizens hath Right, because they are tyed to the same Lawes; but he hath no propriety in which the *Chief Ruler* (whose Cõmands are the Lawes, whose will contains the will of each man, and who, by every single person, is constituted the *Supreme Judge*) hath not a Right. But although there be many things which the City permits to its Citizens, and therefore they may sometimes goe to Law against their *Chief*; yet is not that action belonging to *Civill Right*, but to *Naturall Equity*; neither is it concerning what (*) by Right he *may doe* who hath the *Supreme Power*, but what he hath been *willing should be done*, and therefore he shall be judge himself, as though (the equity of the cause being well understood) he could not give wrong judgment.

That no man can challenge a propriety in ought against him who hath the Supreme Power.

Annotation. Propriety receiv'd its beginning, &c.] *What's objected by some, That the propriety of goods, even before the constitution of Cities, was found in Fathers of Families, that objection is vaine, because I have already declar'd, That a Family is a little City: For the Sonnes of a Family have a propriety of their goods granted them by their Father, distinguisht indeed from the rest of the Sons of the same Family, but not from the propriety of the Father himself; but the Fathers of diverse Families, who are subject neither to any common Father, nor Lord, have a common Right in all things.*

Annotation. What by Right he may doe, &c.] *As often as a Citizen is granted to have an action of Law against the Supreme, i. e. against the City, the question is not in that action, whether the City may, by Right, keep possession of the thing in controversie, but whether by the Lawes formerly made she would keep it; for the Law is the declared will of the Supreme: since then the City may raise money from the Citizens under two Titles, either as Tribute, or as Debt, in the former case there is no action of Law allowed; for there can be no question whether the City have Right to require Tribute: in the latter it is allowed, because the City will take nothing from its Citizens by fraud, or cunning, and yet if need require, all they have, openly; and therefore he that condemnes this place, saying, That by this doctrine it is easie for Princes to free themselves from their Debts, he does it impertinently.*

It is known by the civill Laws what

XVI. *Theft, Murther, Adultery, and all injuries* are forbid by the Lawes of nature, but what is to be called *Theft*, what *Murther*,

theft, murther, adultery, and injurie &c.

ther, what *Adultery*, what *injury* in a Citizen, this is not to be determined by the *naturall*, but by the *civill Law*: for not every taking away of the thing which another poſſeſſeth, but onely *another mans goods* is *theft*; but what is ours, and what anothers, is a queſtion belonging to the *civill Law*. In like manner, not every killing of a man is *Murther*, but onely that which the *civill Law* forbids; neither is all encounter with women *Adultery*, but onely that which the *civill Law* prohibits. Laſtly, all breach of promiſe is an *injury*, where the promiſe it ſelfe is lawfull, but where there is no *Right* to make any compact, there can be no conveighance of *it*, and therefore there can no *injury* follow, as hath been ſaid in the ſecond Chapter, *Artic.* 17. Now what we may contract for, and what not, depends wholly upon the *civill Lawes*. The City of *Lacedæmon* therefore rightly ordered that thoſe young men who could ſo take away certain goods from others as not to be caught, ſhould goe unpuniſht; for it was nothing elſe, but to make a Law that what was ſo acquired ſhould be *their own*, and not *anothers*. Rightly alſo is that man every where ſlain, whom we kill in warre, or by the neceſſity of ſelfe-defence. So alſo that copulation which in one City is *Matrimony*, in another will be judged *Adultery*. Alſo thoſe contracts which make up *Marriage* in one Citizen, doe not ſo in another, although of the ſame City; becauſe that he who is forbidden by the City (that is by that *one man*, or *Councell*, whoſe the *ſupreme power* is) to contract ought, hath no Right to make any contract, and there-

fore having made any, it is not valid, and by consequence, no *Marriage*. But his contract which received no prohibition, was therefore of force, and so was Matrimony: neither addes it any force to any unlawfull contracts, that they were made by an Oath, (*) or Sacrament, for those adde nothing to the strenghning of the contract, as hath been said above *Chap.* 2. *Artic.* 22. What therefore *Theft*, what *Murther*, what *Adultery*, and in generall what *injury is*, must be known by the *civill Lawes*, that is, the commands of him who hath the *supreme authority*.

Annotation That they were made by an Oath or Sacrament, &c.] *Whether Matrimony bee a Sacrament (in which sense that word is used by some Divines) or not, it is not my purpose to dispute: Onely I say, that the legitimate contract of a man and woman to live together, i.e. granted by the civill Law, whether it be a Sacrament, or not, is surely a legitimate Marriage; but that copulation which the City hath prohibited is no marriage, since it is of the essence of Marriage to be a legitimate contract. There were legitimate marriages in many places, as among the Jewes, the Grecians, the Romans, which yet might be dissolved; but with those who permit no such contracts, but by a Law that they shall never be broke, Wedlock cannot be dissolved, and the reason is, because the City hath commanded it to be indissoluble, not because Matrimony is a Sacrament. Wherefore the ceremonies which at weddings are to be performed in the Temple, to blesse, or (if I may say so) to consecrate the husband and wife, will perhaps belong only to the office of Clergy-men, all the rest, namely who, when, and by what*

contracts

contracts Marriages may be made, pertains to the Lawes of the City.

XVII. This same *supreme command*, and *absolute power*, seems so harsh to the greatest part of men, as they hate the very naming of them; which happens chiefly through want of knowledge, what *humane nature*, and the *civill Lawes* are, and partly also through their default, who when they are invested with so great authority, abuse their power to their own lust. That they may therefore avoyd this kind of *supreme authority*, some of them will have a City well enough constituted, if they who shall be the Citizens convening, doe agree concerning certaine Articles propounded, and in that convent agitated and approved; and doe command them to be observed, and punishments prescribed to be inflicted on them who shall break them: to which purpose, and also to the repelling of a forraign enemy, they appoint a certain and limited return, with this condition, that if that suffice not, they may call a new convention of estates. Who sees not in a City thus constituted, that the Assembly who prescribed those things had an *absolute power*? If therefore the *Assembly* continue, or from time to time have a certain day, and place of meeting, that *power* will be perpetuall. But if they wholly dissolve, either the City dissolves with them, and so all is returned to the *state of War*, or else there is some where a power left to punish those who shall transgresse the Lawes, whosoever, or how many soever they be that have it, which cannot possibly be without an *absolute power*: for he that by *right* hath this

The opinion of those who would constitute a City where there should not be any one enduced with absolute power.

might given, by punishments to restrain what Citizens he pleaseth, hath such a power, as a greater cannot possibly be given by any Citizens.

The notes of supreme authority.

XVIII. It is therefore manifest, that in every City there is some *one man*, or *Councell*, or *Court*, who by Right hath as great a power over each single Citizen, as each man hath over himselfe considered out of that civill state, that is, *supreme* and *absolute*, to be limited onely by the strength and forces of the City it selfe, and by nothing else in the world: for if his power were limited, that limitation must necessarily proceed from some greater power; For he that prescribes limits, must have a greater power then he who is confin'd by them; now that confining power is either without limit, or is again restrained by some other greater then it selfe, and so we shall at length arrive to a power which hath no other limit, but that which is the *terminus ultimus* of the forces of all the Citizens together. That same is called the *supreme command*, and if it bee committed to a *councell*, a *supreme councell*, but if to one man, the *supreme Lord* of the City. Now the notes of *supreme command* are these, *To make and abrogate Lawes*, *To determine War and Peace*, to know, and judge of all *controversies*, either by himselfe, or by *Judges* appointed by him; to elect all *Magistrates*, *Ministers*, and *Counsellors*. Lastly, if there be any man who by Right can doe some one action which is not lawfull for any Citizen or Citizens to doe beside himselfe, that man hath obtained *the supreme power*: For those things which by Right may not

be done by any one or many Citizens, the City it ſelfe can onely doe: He therefore that doth thoſe things uſeth the Cities Right, which is the *ſupreme power*.

XIX. They who compare a City and its Citizens, with a man and his members, almoſt all ſay, that he who hath the *ſupreme power* in the City, is in relation to the whole City, ſuch as the head is to the whole man; But it appeares by what hath been already ſaid, that he who is endued with ſuch a power, (whether it be *a man*, or a *Court*) hath a relation to the City, not as that of the head, but of the ſoule to the body. For it is the ſoule by which a man hath a will, that is, can either will, or nill; ſo by him who hath the *ſupreme power*, and no otherwiſe, the City hath a will, and can either will or nill. A Court of Counſellors is rather to be compared with the head, or one Counſellor, whoſe only Counſell (if of any one alone) the *chief Ruler* makes uſe of in matters of greateſt moment: for the office of the head is to counſell, as the ſoules is to command.

If the City be compared with a man, hee who hath the ſupreme command, is in order to the City, as the humane ſoule is to the man, By Chap. 6. Artic. 1.

XX. Forasmuch as the *ſupreme command* is conſtituted by vertue of the compacts which each ſingle Citizen, or ſubject, mutually makes with the other; but all contracts, as they receive their force from the contractors, ſo by their conſent they loſe it again, and are broken; perhaps ſome may inferre hence, that by the conſent of all the ſubjects together, the *ſupreme authority* may be wholly taken away. Which inference if it were true, I cannot diſcerne what danger would thence by *Right* ariſe to the *ſupreme Commanders*. For ſince it is ſuppoſed, that each

That the ſupreme power cannot by Right be diſſolved by their conſents, by whoſe compacts it was conſtituted.

each one hath obliged himſelfe to each other, if any one of them ſhall refuſe, whatſoever the reſt ſhall agree to doe, he is bound notwithſtanding; neither can any man without injury to me, doe that which by contract made with me, he hath obliged himſelfe not to doe. But it is not to be imagined that ever it will happen, that all the ſubjects together, not ſo much as one excepted, will combine againſt the *ſupreme power*, wherefore there is no feare for *Rulers in chiefe*, that by any *Right* they can be deſpoyled of their authority. If notwithſtanding it were granted, that their *Right* depended onely on that contract which each man makes with his fellow-citizen, it might very eaſily happen, that they might be robbed of that Dominion under pretence of Right; for ſubjects being called either by the command of the City, or ſeditiouſly flocking together, moſt men think that the conſents of all are contained in the votes of the greater part; which in truth is falſe; for it is not from nature that the conſent of the major part ſhould be received for the conſent of all, neither is it true in tumults, but it proceeds from civill inſtitution, and is then onely true, when that *Man* or *Court* which hath the *ſupreme power*, aſſembling his ſubjects, by reaſon of the greatneſſe of their number, allowes thoſe that are elected a power of ſpeaking for thoſe who elected them, and will have the major part of voyces, in ſuch matters as are by him propounded to be diſcuſt, to be as effectuall as the whole. But we cannot imagine that he who is *chiefe*, *ever* convened his ſubjects with intention that *they*

ſhould

ſhould diſpute his Right, unleſſe, weary of the burthen of his charge, he declared in plain termes, that he renounces and abandons his government. Now becauſe moſt men through ignorance eſteem not the conſent of the major part of Citizens only, but even of a very few, provided *they be of their opinion*, for the conſent of the whole *City*, it may very well ſeem to them, that the *ſupreme authority* may by right be abrogated, ſo it be done in ſome great Aſsembly of Citizens by the votes of the greater number; But though a government be conſtituted by the contracts of particular men with particulars, yet its Right depends not on that obligation onely, there is another tye alſo toward him who commands; for each Citizen compacting with his fellow, ſayes thus, *I conveigh my Right on this Party, upon condition that you paſſe yours to the ſame*; by which means, that Right which evety man had before to uſe his faculties to his own advantage, is now wholly tranſlated on ſome certain man, or Councell, for the common benefit; wherefore what by the mutuall contracts each one hath made with the other, what by the donation of Right which every man is bound to ratifie to him that commands, the government is upheld by a double obligation from the Citizens, firſt that which is due to their fellow citizens, next that which they owe to their Prince. Wherefore no ſubjects how many ſoever they be, can with any Right deſpoyle him who bears the chiefe Rule, of his authority, even without his own conſent.

CHAP.

Chap. VII.
Of the three kindes of Government, Democraty, Aristocraty, Monarchie.

I. *That there are three kindes of Government onely,* Democraty, Aristocraty, Monarchie. II. *That* Oligarchy *is not a diverse form of government distinct from Aristocraty, nor* Anarchy *any Forme at all.* III. *That a* Tyranny *is not a diverse state from a legitimate* Monarchy. IV. *That there cannot be a* mixt *state fashioned out of these severall species.* V. *That* Democraty, *except there be certain times and places of meeting prefixt, is dissolv'd.* VI. *In a* Democraty *the intervalls of the times of meeting must be short, or the* administration of Government *during the intervall committed to some* one. VII. *In a* Democraty *particulars Contract with particulars to obey the* People; *the* People *is oblig'd to no man.* VIII. *By what acts* Aristocraty *is constituted.* IX. *In an* Aristocraty *the* Nobles

make

make no Compact, neither are they oblig'd to any Citizen, or to the whole People. X. *The* Nobles *must necessarily have their set meetings.* XI. *By what acts* Monarchy *is constituted.* XII. Monarchy *is by Compact oblig'd to none for the Authority it hath receiv'd.* XIII. Monarchy *is ever in the readiest capacity to exercise all those acts which are requisite to good Government.* XIV. *What kind of sin that is, and what sort of men are guilty of it, when the City performes not its office towards the Citizens, nor the Citizens towards the City.* XV. *A* Monarch *made without limitation of time hath power to elect his successor.* XVI. *Of limited* Monarchs. XVII. *A* Monarch *retaining his Right of Government, cannot by any promise whatsoever be conceived to have parted with his Right to the meanes necessary to the exercise of his Authority.* XVIII. *How a Citizen is freed from subjection.*

I. WE have already spoken of a *City by institution* in its Genus; we will now say somewhat of its spe-

There are three kinds of Govern-

ment onely. Democraty, Aristocraty, and Monarchy.

species. As for the difference of Cities, it is taken from the difference of the Persons, to whom the *Supreme Power* is committed; this *power* is committed either to *one Man*, or *Councell*, or some *one Court* consisting of many men. Furthermore, a *Councell of many men*, consists either of all the Citizens, (insomuch as every man of them hath a Right to Vote, and an interest in the ordering of the greatest affaires, if he will himselfe) or of a part onely; from whence there arise three sorts of Government: The one, when the *Power* is in a *Councell*, where every Citizen hath a right to Vote, and it is call'd a DEMOCRATY. The other, when *it* is in a *Councell*, where not all, but some part onely have their suffrages, and we call it an ARISTOCRATY. The third is that, when the *Supreme Authority* rests onely *in one*, and it is stiled a MONARCHY. In the first, he that governes is called Δῆμος, The PEOPLE. In the second, the NOBLES. In the third, the MONARCH.

Oligarchie is no state of a City distinct from Aristocratie; neither is Anarchie any State at all.

II. Now, although Ancient Writers of Politiques have introduc'd three other kindes of Government opposite to these, to wit, *Anarchy* or confusion to *Democraty*, *Oligarchy*, that is, the command of some few, to *Aristocraty*, and *Tyranny* to *Monarchy*, yet are not these three distinct formes of Government, but three diverse Titles given by those who were either displeas'd with that present Government, or those that bare Rule. For men, by giving names, doe usually, not onely signifie the things them-

themſelves, but alſo their own *affections*, as *love*, *hatred*, *anger*, and the like, whence it happens that what one man calls a *Democraty*, another calls an *Anarchy*; what one counts an *Ariſtocraty*, another eſteemes an *Oligarchie*; and whom one titles a *King*, another ſtiles him a *Tyrant*; ſo as we ſee theſe names betoken not a *diverſe kinde* of Government, but the *diverſe opinions* of the Subjects concerning him who hath the Supreme Power. For firſt, who ſees not that *Anarchy* is equally oppoſite to all the forenam'd Formes? For that word ſignifies that there is no Government at all, that is, not any City. But how is it poſſible that *no City* ſhould be the ſpecies of *a City*? Farthermore, what difference is there between an *Oligarchie*, which ſignifies the Command of a *few*, or *Grandees*, or an *Ariſtocraty*, which is that of the *Prime, or Chief Heads*, more then that men differ ſo among themſelves, that the ſame things ſeeme not good to all men? whence it happens, that thoſe perſons, who by ſome are look'd on as the *beſt*, are dy others eſteem'd to be the *worſt* of all men.

III. But men, by reaſon of their paſſions, will very hardly be perſwaded that a *Kingdome*, and Tyranny, are not diverſe kindes of Cities, who though they would rather have the City ſubject *to one*, then *many*, yet doe they not beleeve it to be well govern'd unleſſe it accord with their judgements: But we muſt diſcover by Reaſon, and not by Paſſion, what the difference is between a *King*, and a *Tyrant*: but firſt, they differ not in this, That a *Tyrant* hath the

That a Tyranny is not a diverſe ſtate from a legitimate Monarchy.

the *greater power*, for greater then the *Supreme* cannot be granted; nor in this, That one hath a limited power, the other not; for he, whose authority is limited, is *no King*, but his *Subject* that limits him. Lastly, neither differ they in their manner of acquisition; for if in a *Democraticall*, or *Aristocraticall* Government some one Citizen should, by force, possesse himself of the *Supreme Power*, if he gain the consent of all the Citizens, he becomes a legitimate *Monarch*; if not, he is an *Enemy*, not a *Tyrant*. They differ therefore in the sole exercise of their command, insomuch as he is said to be a King, who governs wel, and he a *Tyrant* that doth otherwise. The case therefore is brought to this passe, That a King legitimately constituted in his *Government*, if he seeme to his Subjects to Rule well, and to their liking, they afford him the appellation of a King, if not, they count him a *Tyrant*: Wherefore we see a *Kingdome*, and *Tyranny*, are not diverse Formes of Government, but one and the self-same *Monarch* hath the name of a *King* given him in point of Honour, and Reverence to him, and of a *Tyrant* in way of contumely, and reproach. But what we frequently finde in bookes said against *Tyrants*, took its originall from Greek, and Roman Writers, whose Government was partly *Democraticall*, and partly *Aristocraticall*, and therefore not *Tyrants* onely, but even *Kings* were odious to them.

That there can no mixt state be

IV. There are, who indeed doe think it necessarily, That a *Supreme Command* should be somewhere extant in a City; but

but if it ſhould be in any *one*, either *Man*, or *Councell*, it would follow (they ſay) that all the Citizens muſt be ſlaves. Avoiding this condition, they imagine that there may be a certaine Form of Government *compounded* of thoſe three kinds we have ſpoken of, yet different from each particular, which they call a *mixt Monarchie*, or *mixt Ariſtocraty*, or *mixt Democraty*, according as any one of theſe three ſorts ſhall be more eminent then the reſt: For example, if the naming of Magiſtrates, and the arbitration of War, and Peace, ſhould belong to the King, Judicature to the *Lords*, and contribution of Monies to the *People*, and the power of making Lawes too *altogether*, this kind of State would they call a *mixt Monarchie* forſooth. But if it were poſſible that there could be ſuch a State, it would no whit advantage the liberty of the ſubject; for as long as they all agree, each ſingle Citizen is as much ſubject as poſſibly he can be; but if they diſagree, the State returns to a Civill War, and the Right of the *private Sword*, which certainly is much worſe then any ſubjection whatſoever: (*) But that there can be no ſuch kind of Government hath been ſufficiently demonſtrated in the foregoing Chapter, Artic: 6,7,8,9,10,11,12.

form'd out of theſe fore-nam'd kindes of Government.

But that there can be no ſuch kinde of Government] *Moſt men grant, That a Government ought not to be divided, but they would have it moderated, and bounded by ſome limits. Truly it is very reaſonable it ſhould be ſo; but if theſe men, when they ſpeak of moderating, and limiting, do underſtand dividing it, they*

Annotation.

they make a very fond distinction. Truly, for my part, I wish that not onely Kings, *but all other Persons endued with Supreme Authority would so temper themselves as to commit no wrong, and onely minding their charges contain themselves within the limits of the naturall, and divine Lawes: But they who distinguish thus, they would have the chief power bounded, and restrain'd by others; which, because it cannot be done, but that they who doe set the limits, must needs have some part of the power, whereby they may be enabled to doe it, the Government is properly divided, not moderated.*

That Democraty, except it have certain times and places of meeting prescrib'd, is dissolv'd.

V. Let us see a little now in the constituting of each Form of Government, what the constitutours doe. Those who met together with intention to erect a City, were almost in the very act of meeting a Democraty; for in that they willingly met, they are suppos'd oblig'd to the observation of what shall be determin'd by the major part: which, while that convent lasts, or is adjourn'd to some certain dayes, and places, is a clear *Democraty*; for that convent, whose will is the will of all the Citizens, hath the *Supreme Authority*; and because in this Convent every man is suppos'd to have a Right to give his voice, it followes, that it is a *Democraty* by the definition given in the first Article of this Chap. But if they depart, and break up the Convent, and appoint no time, or place, where, and when they shall meet again, the publick weal returns to *Anarchy*, and the same state it stood in before their meeting, that is, to the state of all men warring against all.

The

the *People* therefore retains the *ſupreme power* no longer then there is a certain day and place publiquely appointed, and known, to which whoſoever will, may reſort. For except that be known and determined, they may either meet at divers times, and places, that is in factions, or not at all; and then it is no longer δῆμος, the *People*, but a diſſolute multitude, to whom we can neither attribuee any *Action*, or *Right*: Two things therefore frame a *Democratie*, whereof one (to wit the perpetuall preſcription of Convents) makes δῆμον, the People, theother (which is a plurality of voyces) τὸ κράτος or the power.

VI. Furthermore, it will not be ſufficient for the *People*, ſo as to maintain its *ſupremacy*, to have ſome certain known times, and places of meeting, unleſſe that either the intervals of the times be of leſſe diſtance, then that any thing may in the mean time happen whereby (by reaſon of the defect of *power*) the City may be brought into ſome danger, or at leaſt that the exerciſe of the *ſupreme authority* be, during the intervall, granted to ſome *one man*, or *Councell*. For unleſſe this be done, there is not that wary care, and heed taken for the defence and Peace of ſingle men which ought to be, and therefore will not deſerve the name of a City, becauſe that in it for want of ſecurity, every mans Right of defending himſelfe at his own pleaſure, returns to him again.

In Democratie, the Intervals of the times of convening muſt be ſhort, or the adminiſtration of the government committed to ſome one.

VII. *Democraty* is not framed by contract of particular Perſons with the *People*, but by mutuall compacts of ſingle men each with other. But hence it appears in the firſt place, that the Perſons contracting, muſt be

in

in being before the contract it ſelfe, but the *People* is not in being before the conſtitution of government, as not being any Perſon, but a multitude of ſingle Perſons; wherefore there could then no contract paſſe between the *People* and *the Subject*. Now, if after that government is framed, the ſubject make any contract with the *People*, it is in vain, becauſe the *People* contains within its will, the will of that ſubject to whom it is ſuppoſed to be obliged; and therefore may at its own will and pleaſure diſengage it ſelfe, and by conſequence is now actually free. But in the ſecond place, that ſingle Perſons doe contract each with other may be inferred from hence, that in vain ſure would the City have been conſtituted, if the Citizens had been engaged by no contracts to doe, or omit what the City ſhould command to be done or omitted. Becauſe therefore ſuch kind of compacts muſt be underſtood to paſſe as neceſsary to the making up of a City, but none can be made (as is already ſhewed) between the *Subject* and the *People*, it followes, that they muſt be made between ſingle Citizens, namely that each man contract to ſubmit his will to the will of the major part, on condition that the reſt alſo doe the like, as if every one ſhould ſay thus, I give up my Right unto the People for your ſake, on condition, that you alſo deliver up yours, for mine.

By what acts an Ariſtocraty is framed.

VIII. An Ariſtocraty, or *Councell* of Nobles endued with *ſupreme authoritie*, receives its originall from a *Democraty*, which gives up its Right unto it, where we muſt underſtand that certain men diſtinguiſht

from

from others, either by eminence of title, blood, or some other Character, are propounded to the *People*, and by plurality of voyces are elected, and being elected, the whole Right of the *People*, or City, is conveighed on them, insomuch as whatsoever the *People* might doe before, the same by Right may this *Court* of elected *Nobles* now doe; which being done, it is clear that the People, considered as one Person, (its *supreme authority* being already transferred on these) is no longer now in being.

IX. As in *Democraty* the *People*, so in an *Aristocraty* the *Court* of Nobles is free from all manner of obligation; for seeing subjects not contracting with the *People*, but by mutuall compacts among themselves, were tyed to all that the *People* did, hence also they were tyed to that act of the *People* in resigning up its Right of government into the hands of Nobles. Neither could this *Court*, although elected by the *People*, be by it obliged to any thing; for being erected, the *People* is at once dissolved, as was declared above, and the authority it had as being a *Person* utterly vanisheth. Wherefore the obligation which was due to the *Person* must also vanish, and perish together with it.

In an Aristocraty the Nobles make no contract, nor are they obliged to any citizen, or to the whole People.

X. *Aristocraty* hath these considerations, together with *Democraty*; First, that without an appointment of some certain times, and places, at which the *Court* of Nobles may meet, it is no longer a *Court*, or one Person, but a dissolute multitude without any supreme power; Secondly, that the times of their assembling cannot be disjoyned by long intervalls, without prejudice to the supreme

The Nobles must necessarily have their set meetings.

preme power, unleſse its adminiſtration be transferred to ſome one man: Now the reaſons why this happens, are the ſame which we ſet down in the fifth Article.

By what acts a Monarchy is framed.

XI. As an *Ariſtocratie*, ſo alſo a *Monarchy* is derived from the Power of the *People*, transferring its *Right*, (that is) its *Authoritie* on *one man*: Here alſo we muſt underſtand, that ſome *one man*, either by name, or ſome other token, is propounded to be taken notice of above all the reſt, and that by a plurality of voyces the whole Right of the *People* is conveighed on him, inſomuch as whatſoever the *People* could doe before he were elected, the ſame in every Reſpect may he by Right now doe, being elected; which being done, the *People* is no longer one *Perſon*, but a rude multitude, as being only one before by vertue of the *ſupreme command*, whereof they now have made a conveyance from themſelves on this one Man.

That the Monarch is by compact obliged to none, for the authoritie he hath received.

XII. And therefore neither doth the *Monarch* oblige himſelfe to any for the command he receives, for he receives it from the *People*; but as hath been ſhewed above, the *People*, as ſoon as that act is done, ceaſeth to be a *Perſon*, but the *Perſon* vaniſhing, all obligation to the *Perſon* vaniſheth. The ſubjects therefore are tyed to perform obedience to the *Monarch*, by thoſe compacts only by which they mutually obliged themſelves to the obſervation of all that the *People* ſhould command them, (that is) to obey that *Monarch*, if he were made by the *People*.

A Monarch is ever in the readier

XIII. But a *Monarchy* differs as well from an *Ariſtocraty*, as a *Democratie*, in this chiefly, that in thoſe there muſt be certain

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ſet times and places for deliberation, and consultation of affaires, that is, for the actuall exerciſe of it in all times, and places; For the *People*, or the *Nobles* not being *one naturall Perſon* muſt neceſsarily have their meetings. The *Monarch* who is one by nature, is alwayes in a preſent capacity to execute his authority.

capacity to exerciſe all thoſe acts which are requiſite to well governing.

XIV. Because we have declared above in the 7. 9. and 12. Articles, that they who have gotten the *ſupreme command* are by no compacts obliged to any man, it neceſſarily followes, that they can doe no *injury* to the ſubjects; for *injury* according to the definition made in the third Article of the third Chapter, is nothing elſe but a breach of contract: and therefore where no contracts have part, there can be no injury. Yet the *People*, the *Nobles*, and the *Monarch* may diverſe wayes tranſgreſſe againſt the other Lawes of nature, as by *cruelty*, *iniquity*, *contumely*, and other like vices, which come not under this ſtrict, and exact notion of *injury*. But if the ſubject yeeld not obedience to the ſupreme, he will in propriety of ſpeech be ſaid to be *injurious* as well to his fellow ſubjects, becauſe each man hath compacted with the other to obey, as to his *chief Ruler* in reſuming that Right, which he hath given him, without his conſent. And in a *Democraty*, or *Ariſtocracy*, if any thing be decreed againſt any *Law of nature*, the City it ſelfe (*i. e.*) the civill Perſon ſinnes not, but thoſe ſubjects only by whoſe votes it was decreed for ſinne, is a conſequence of the naturall expreſſe will, not of the politicall, which is artificiall; for if it were other-

What kind of ſin that is, and what ſort of men are guilty of it, when the City performs not its office to the Citizens, not the Citizens towards the City.

wiſe, they would be guilty, by whom the decree was abſolutely diſliked: But in a *Monarchie*, if the *Monarch* make any decree againſt the *Lawes of nature*, he ſins himſelfe, becauſe in him the civill will and the naturall are all one.

A Monarch made without limitation of time may elect his ſucceſſors.

XV. The people who are about to make a *Monarch*, may give him the *ſupremacy* either ſimply without limitation of time, or for a certaine ſeaſon, and time determined; if ſimply, we muſt underſtand that he who receives it, hath the ſelfe-ſame power which they had, who gave it, on the ſame grounds: therefore that the *People by Right* could make *him* a *Monarch*, may he make *another Monarch:* inſomuch as the *Monarch* to whom the command is ſimply given, receives a *Right* not of *poſſeſsion* onely, but of *ſucceſſion* alſo, ſo as he may declare whom hee pleaſeth for his ſucceſſor.

Of limited Monarchs.

XVI. But if the power be given for a time limited, we muſt have regard to ſomewhat more then the bare gift onely: Firſt, whether the *People* conveighing its authority, left it ſelfe any *Right* to meet at certain times, and places, or not. Next, if it have reſerved this power, whether it were done, ſo as they might meet before that time were expired, which they preſcribed to the Monarch. Thirdly, whether they were contented to meet onely at the will of that temporary *Monarch* and not otherwiſe. Suppoſe now the *People* had delivered up *its power* to ſome one man for term of life onely; which being done, let us ſuppoſe in the firſt place, that every man departed from the Counſell without making any order at all concern-

concerning the place where (after his death) they ſhould meet again to make a new elect on. In this caſe it is manifeſt by the fifth Article of this Chapter, that the *People* ceaſeth to be a *Perſon*, and is become a diſſolute multitude, every one whereof hath an equall, to wit, a naturall Right to meet with whom he liſts at divers times, and in what places ſhall beſt pleaſe him; nay, and if he can, engroſſe the ſupreme power to himſelfe, and ſettle it on his own head. What *Monarch* ſoever therefore hath a command in ſuch a condition, he is bound by the *Law of nature* (ſet down in the Article of the third Chapter *of not returning evill for good*) prudently to provide, that by his death the City ſuffer not a diſsolution, either by appointing a certain day, & place, in which thoſe ſubjects of his who have a mind to it may aſsemble themſelves, or elſe by nominating a ſucceſsor: whether of theſe ſhall to him ſeem moſt conducible to their common benefit. He therefore who on this foreſaid manner hath received *his command* during life, hath an *abſolute power*, and may at his diſcretion diſpoſe of the ſucceſsion. In the next place, if we grant that the *people* departed not from the election of the *temporary Monarch*, before they decreed a certain time and place of meeting after his death, then the *Monarch* being dead, the authority is confirmed in the *people*, not by any new acts of the ſubjects, but by vertue of the former Right, for all the *ſupreme command* (as *Dominion*) was in the *People*, but the *uſe*, and *exerciſe* of it was only in the *temporary Monarch*, as in one *that takes the benefit*, but hath not

the Right. But if the *People* after the election of a *temporarie Monarch*, depart not from the Court before they have appointed certain times, and places to convene, during the time prescribed him (as the *Dictators* in ancient times were made by the People of *Rome*) such an one is not to be accounted a *Monarch*, but the Prime Officer of the *People*; and if it shall seem good, the *People* may deprive him of his office even before that time, as the *People* of *Rome* did, when they conferred an equall power on *Minutius* Master of the horse, with *Quintus Fabius Maximus*, whom before they had made *Dictator*. The reason whereof is, that it is not to be imagined, that, whether Man or Counsell who hath the readiest, and most immediate power to act, should hold his command on such termes as not to be able actually to execute it; for command is nothing else but a Right of commanding, as oft as nature allowes it possible. Lastly, if the *People* having declared a *temporary Monarch*, depart from the Court on such termes, as it shall not be lawfull for them to meet without the command of the *Monarch*, we must understand the People to be immediately dissolved, and that his authority who is thus declared, is absolute; forasmuch as it is not in the power of all the subjects to frame the City anew, unless he give consent who hath now alone the authority. Nor matters it, that he hath perhaps made any promise to assemble his Subjects on some certain times, since there remains no *Person* now in being, but at his discretion, to whom the promise was made. What we have spoken of these foure

four caſes of a *People* electing a *Temporary Monarch* will be more clearly explain'd by comparing them with an *abſolute Monarch*, who hath no heir apparent; for the *People* is *Lord* of the ſubject in ſuch a manner as there can be no Heir but whom it ſelf doth appoint. Beſides, the ſpaces between the times of the ſubjects meeting may be fitly compar'd to thoſe times wherein the *Monarch* ſleepes, for in either the *Acts* of commanding ceaſes, the *Power* remaines: Farthermore, to diſſolve the convent, ſo as it wake more, is the death of a man: As therefore a King, who hath no Heir, going to his reſt, ſo as never to riſe again, (*i. e.*) dying, if he commit the exerciſe of his Regall Authority to any one till he awake, does by conſequence give him the Succeſſion; the *People* alſo *electing a Temporary Monarch*, and not reſerving a power to convene, delivers up to him the whole Dominion of the Country: Furthermore, as a King going to ſleep for ſome ſeaſon, entruſts the adminiſtration of his Kingdome to ſome other, and waking takes it again; ſo the people having elected a *Temporary Monarch*, and withall retaining a right to meet at a certain day, and place, at that day receives its ſupremacy again. And as a King who hath committed the execution of his Au hority to another, himſelf in the mean while waking, can recall this commiſſion againe when he pleaſeth; ſo the *People*, who during the time preſcribed to the *Temporary Monarch*, doth by Right convene, may if they

pleaſe, deprive the Monarch of his Authority. Laſtly, the King, who commits his Authority to another while himſelf ſleeps, not being able to wake againe till he whom he entruſted, give conſent, loſes at once both his power, and his life; ſo the people, who hath given the Supreme Power to a temporary Monarch in ſuch ſort as they cannot aſſemble without his command is abſolutely diſſolv'd, and the power remaines with him whom they have choſen.

No Right of Government, cannot by any promiſe whatſoever, be conceiv'd to have parted with his Right to the means neceſſary to the exerciſe of his Authority.

XVII. If the *Monarch* promiſe ought in conſequence whereof the exercise of his power may ſuffer prejudice, that *Promiſe* or *Compact* whether made by Oath, or without it, is null: for all *Compact* is a conveyance of Right, which by what hath been ſaid in the fourth Article of the ſecond Chapter, requires meet, and proper ſignes of the Will in the conveyer. But he who ſufficiently ſignifies his will of retaining the end, doth alſo ſufficiently declare that he quits not his Right to the means neceſſary to that end. Now he who hath promis'd to part with ſomewhat neceſſary to the *Supreme Power*, and yet retaines the *Power* it ſelfe, gives ſufficient tokens, That he no otherwiſe promis'd it then ſo farre forth as the power might be retain'd without it. Whenſoever therefore it ſhall appear that what is promis'd cannot be perform'd *without prejudice to the power*, the promiſe muſt be valued as not made, (*i. e.*) of no effect.

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XVIII. We have ſeen how Subjects,

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nature dictating, have oblig'd themselves by mutuall Compacts to obey the *Supreme Power.* We will see now by what meanes it comes to passe that they are releas'd from these bonds of obedience. And first of all this happens by *rejection*, namely, if a man cast off, *or* forsake, but conveigh not the *Right of his Command* on some other; for what is thus rejected, is openly expos'd to all alike, catch who catch can; whence again, by the Right of nature, every subject may heed the preservation of himselfe according to his own judgement. In the second place, If the Kingdome fall into the power of the enemy, so as there can no more opposition be made against them, we must understand that he, who before had the *Supreme Authority*, hath now lost it: For when the Subjects have done their full indeavour to prevent their falling into the enemies hands, they have fulfill'd those Contracts of obedience which they made each with other, and what, being conquer'd, they promise afterwards, to avoid death, they must, with no lesse endeavour, labour to performe. Thirdly, in a *Monarchy*, (for a *Democraty*, and Aristocraty cannot fail) if there be no successour, all the subjects are discharg'd from their obligations; for no man is suppos'd to be tyed he knows not to whom, for in such a case it were impossible to perform ought. And by these three wayes all subjects are restor'd from their civill subjection to that liberty, which all men have to all things, to wit, naturall, and salvage, (for the naturall state hath the same proportion to the Civill, I mean li-

Subject is freed from his subjection.

berty to ſubjection, which Paſſion hath to Reaſon, or a Beaſt to a Man:) Furthermore, each ſubject may lawfully be freed from his ſubjection by the will of him who hath the Supreme Power, namely, if he change his ſoile, which may be done two wayes, either by permiſſion, as he, who gets licenſe to dwell in another Country; or Command, as he, who is *Baniſht:* In both caſes he is free from the Lawes of his former Country, becauſe he is tyed to obſerve thoſe of the latter.

Chap. VIII.

Of the Rights of Lords over their Servants.

I. *What* Lord *and* Servant *ſignifie.* II. *The diſtinction of* Servants *into ſuch as upon truſt enjoy their naturall liberty, or ſlaves, and ſuch as ſerve, being impriſon'd, or bound in fetters.* III. *The Obligation of a* Servant *ariſes from the liberty of body allow'd him by his* Lord. IV. Servants *that are bound are not by any Compacts tyed to their* Lords. V. Servants *have no propriety in their goods againſt their* Lord. VI. *The* Lord *may ſell his* Ser-

Servant, *or alienate him by Teſtament.* VII. *The* Lord *cannot injure his* Servant. VIII. *He that is* Lord *of the* Lord, *is* Lord *alſo of his* Servants. IX. *By what means* Servants *are freed.* X. *Dominion over Beaſts belongs to the Rights of nature.*

I. IN the two fore-going Chapters we have treated of an *inſtitutive*, or *fram'd Government*, as being that which receives its originall from the conſent of many, who by Contract and Faith mutually given, have oblig'd each other. Now followes, what may be ſaid, concerning a *naturall Government*, which may alſo be call'd, *Acquired*, becauſe it is that which is gotten by power, and naturall force. But we muſt know in the firſt place by what means the Right of Dominion may be gotten over the *Perſons* of men. Where ſuch a Right is gotten, there is a kind of a *little Kingdome*; for to be a *King*, is nothing elſe but to have *Dominion* over many *Perſons*; and thus a *Great Family* is a *Kingdom*, & a *Little Kingdome* a *Family*. Let us return again to the ſtate of nature, and conſider men as if but even now ſprung out of the earth, and ſuddainly (*like* Muſhromes) come to full maturity without all kind of engagement to each other: There are but three wayes only whereby one can have the *Dominion* over the *Perſon* of another; whereof the firſt is, if by mutuall Contract made between *What Lord and Servant are.*

themſelves (for Peace, & ſelf-defences ſake) they have willingly given up themſelves to the *Power* and *Authority* of ſome man, or Councel of Men, & of this we have already ſpoken. The 2d is, If a man taken Priſoner in the Wars, or overcome; or elſe diſtruſting his own forces, (to avoid Death) promiſes the Conquerour, or the ſtronger Party, *his Service*, *i.e.* to do all whatſoever he ſhall command him; in which Contract the good which the vanquiſht, or inferiour, in ſtrength doth receive, is the grant of his life, which by the Right of War in the naturall ſtate of men he might have depriv'd him of, but the good which he promiſes, is his ſervice and obedience. By vertue therefore of this promiſe, there is as abſolute ſervice and obedience due from the vanquiſht, to the vanquiſher, as poſſibly can be, excepting what repugns the Divine Lawes; for he who is oblig'd to obey the Commands of any man before he knowes what he will command him, is ſimply, and without any reſtriction tyed to the performance of all Commands whatſoever. Now he that is thus tyed, is call'd a *SERVANT*, he to whom he is tyed, a *LORD*. Thirdly, there is a Right acquir'd over the Perſon of a Man, by Generation; of which kind of acquiſition ſomewhat ſhall be ſpoken in the following Chapter.

The diſtinction of Servants unto ſuch as upon truſt enjoy

II. Every one that is taken in the War, and hath his life ſpar'd him, is not ſuppos'd to have Contracted with his *Lord*, for every one is not truſted with ſo much of his naturall liberty, as to be able, if he deſir'd it, either to flie away, or quit his ſervice, or

con-

contrive any mischief to his *Lord*. And these serve indeed but within Prisons, or bound within Irons, and therefore they were call'd not by the common name of *Servant* onely, but by the peculiar name of *Slave*, even as now at this day *un serviteur*, and *un serf*, or *un esclave* have diverse significations.

their natural liberty; or Slaves, and such as serve, being imprison'd or fettered.

The obligation therefore of a *Servant* to his *Lord* ariseth not from a simple grant of his life, but from hence rather, That he keeps him not bound, or imprison'd, for all obligation derives from Contract; but where's no trust, there can be no Contract, as appears by the 2. Chap. Artic. 9. where a Compact is defin'd to be the promise of him who is trusted. There is therefore a confidence and trust which accompanies the benefit of pardon'd life, whereby the *Lord* affords him his corporall liberty; so that if no obligation, nor bonds of Contract had happen'd, he might not onely have made his escape, but also have kill'd his *Lord*, who was the preserver of his life.

The obligation of a Servant ariseth from that free-dome which is granted him by his Lord.

IV. Wherefore such kind of *Servants* as are restrain'd by imprisonment, or bonds, are not comprehended in that definition of *Servants* given above, because those serve not for the Contracts sake, but to the end they may not suffer; and therefore if they flie, or kill their *Lord*, they offend not against the Lawes of Nature, for to bind any man is a plain signe, that the binder supposes him that is bound not to be sufficiently tyed by any other obligation.

Servants that are bound are not obliged to their Lord by any Contract.

V. The *Lord* therefore hath no less Dominion over a Servant that *is not*, then over one

Servants have no

propriety in their goods against their Lord.

that *is bound*, for he hath a *Supreme Power* over both, and may ſay of his *Servant* no leſſe then of another thing, whether animate, or inanimate, This is mine; whence it followes, that whatſoever the *Servant* had before his ſervitude, that afterwards becomes the *Lords*; and whatſoever he hath gotten, it was gotten for his *Lord*: for he that can by Right diſpoſe of the *Perſon* of a man, may ſurely diſpoſe of all thoſe things which that *Perſon* could diſpoſe of. There is therefore nothing which the *Servant* may retaine as *his own* againſt the will of his *Lord*; yet hath he, by his *Lords* diſtribution, a *propriety*, and *Dominion* over *his own goods*, inſomuch as one *Servant* may keep, and defend them againſt the invaſion of *his fellow Servant*, in the ſame manner as hath been ſhewed before, that a ſubject hath nothing properly *his owne* againſt the will of the *Supreme Authority*, but every ſubject hath a propriety againſt *his* fellow ſubject.

The Lord may ſell his Servant, or alienate him by Teſtament.

VI. Since therefore both the *Servant* himſelf, and all that belongs to him are his *Lords*, and by the Right of Nature every man may diſpoſe of his owne in what manner he pleaſes; the *Lord* may either ſell, lay to pledge, or by Teſtament conveigh the Dominion he hath over his *Servant*, according to his own will and pleaſure.

The Lord cannot be injurious to his Servant.

VII. Farthermore, what hath before been demonſtrated concerning ſubjects in an *inſtitutive Government*, namely, that he who hath the Supreme Power can doe his ſubject no *injury*; is true alſo concerning *Servants*, becauſe they have ſubjected their

will

will to the will of the *Lord*; wherefore, whatsoever he doth, it is done with their wills, but no injury can be done to him that willeth it.

He that is Lord of the Lord, is Lord also of the Servants.

VIII. But if it happen that the *Lord* either by captivity, or voluntary subjection doth become a *Servant* or *Subject* to another, that other shall not onely be Lord of him, but also of his *Servants*, *Supreme Lord* over these, *immediate Lord* over him. Now because not the *Servant* only, but also all he hath are his *Lords*; therefore his *Servants* now belong to this man, neither can the mediate *Lord* dispose otherwise of them then shall seeme good to the *Supreme*. And therefore, if sometime in civill Governments, the *Lord* have an absolute power over his *Servants*, that's suppos'd to be deriv'd from the Right of Nature, and not constituted, but slightly pass'd over by the Civill Law.

By what meanes servants are freed.

IX. A *servant* is by the same manner freed from his *servitude*, that a *Subject* in an *institutive government*, is freed from his subjection; First, if *his Lord* enfranchize him, for the Right which the servant transferred to his Lord over himselfe, the same may the *Lord* restore to the *servant* again. And this manner of bestowing of liberty is called *MANUMISSION*; which is just as if a City should permit a Citizen to conveigh himselfe under the jurisdiction of some other City. Secondly, if the *Lord cast off* his *servant* from him, which in a City is *banishment*; neither differs it from *Manumission* in effect, but in manner onely: for there, liberty is granted *as a favour*, here,

as

as a punishment: In both, the *Dominion* is renounced. Thirdly, if the servant be taken prisoner, the *old* servitude is abolished by the *new*; for as all other things, so *servants* also are acquired by warre, whom in equity the *Lord* must protect, if he will have them to be his. Fourthly, the *servant* is freed for want of knowledge of a successour, the *Lord* dying (suppose) without any Testament, or Heire, for no man is understood to be obliged, unlesse he know to whom he is to perform the obligation. Lastly, the *servant* that is put in bonds, or by any other means deprived of his corporall liberty, is freed from that other obligation of contract, for there can be no contract where there is no trust, nor can that faith be broken which is not given, but the *Lord* who himselfe serves another, cannot so free his *servants*, but that they must still continue under the power of the *supreme*, for, as hath been shewed before, such *servants* are not his, but the *supreme Lords*.

The Dominion over beasts is by the Right of nature.

X. We get a right over irrationall Creatures in the same manner, that we doe over the *Persons* of men, to wit, by force and naturall strength; for if in the state of nature it is lawfull for every one, by reason of that warre which is of all against all, to subdue, and also to kill men as oft as it shall seem to conduce unto their good, much more will the same be lawfull against Brutes; namely at their own discretion, to reduce those to servitude which by art may be tamed, and fitted for use, and to persecute and destroy the rest by a perpetuall warre, as dangerous and noxious. Our *Dominion* therefore over beasts,

beasts, hath its originall from the *right of nature*, not from *divine positive Right*: for if such a Right had not been before the publishing of the sacred Scriptures, no man by right might have killed a beast for his food, but he to whom the divine pleasure was made manifest by holy Writ; a most hard condition for men indeed whom the beasts might devoure without injury, and yet they might not destroy them: Forasmuch therefore as it proceeds from the right of nature, that a beast may kill a man; it is also by the same Right, that a man may slay a beast.

Chap. IX.

Of the right of Parents over their children, and of hereditary Government.

I. Paternall Dominion *ariseth not from* generation. II. Dominion *over* Infants *belongs to him or her who first hath them in their power.* III. Dominion *over* infants *is originally the Mothers.* IV. *The exposed* infant *is his from whom he receives his preservation.* V. *The child that hath one Parent a Subject, and the other a Soveraign, belongs to him, or her in authority.* VI. *In such a conjunction of* man

and

and woman, *as neither hath command over the other, the children are the* Mothers, *unleſſe by* compact *or* civill Law, *it bee otherwiſe determined.* VII. Children *are no leſſe ſubject to their* Parents, *then* Servants *to their* Lords, *and* Subjects *to their* Princes. VIII. *Of the honour of* Parents, *and* Lords. IX. *Wherein* Liberty *conſiſts, and the difference of* Subjects *and* Servants. X. *There is the ſame Right over* Subjects *in an* hereditary Government, *which there is an inſtitutive Government.* XI. *The queſtion concerning the right of* Succeſſion, *belongs only to* Monarchy. XII. *A* Monarch *may by his Will and Teſtament, diſpoſe of his* ſupreme authority. XIII. *Or* give *it, or* ſell *it.* XIV. *A* Monarch *dying without Teſtament, is ever ſuppoſed to will that a* Monarch *ſhould ſucceed him.* XV. *And ſome one of his* children. XVI. *And a* male *rather then* female. XVII. *And the* eldeſt *rather then the* yonger. XVIII. *And his* Brother *if he want iſſue before all others.* XIX. *In the ſame manner*

that

that men ſucceed to the power, *doe they alſo ſucceed to the* right of ſucceſſion.

Paternall Dominion riſeth not from generation.

I. *Socrates* is a *man*, and therefore a living creature, is a right ſeaſoning, and that moſt evident, becauſe there is nothing needfull to the acknowledging of the truth of the conſequence, but that the word *Man*, be underſtod, becauſe a *living creature* is in the definition it ſelfe of a *Man*, and every one namely this, *Man is a living Creature*; And this, *Sophroniſcus* is *Socrates* his Father, *and therefore his Lord*, is perhaps a true inference, but not evident, becauſe the word *Lord* is not in the definition of a *Father*: wherefore it is neceſsary to make it more evident, that the connexion of *Father* and *Lord* be ſomewhat unfolded. Thoſe that have hitherto endeavoured to prove the Dominion of a *Parent* over his *children*, have brought no other argument then that of *generation*, as if it were of it ſelfe evident, that what is begotten by me, is mine; juſt as if a man ſhould think, that becauſe there is a triangle, it appeares preſently without any farther diſcourſe, that its angles are equall to two Rights. Beſides, ſince *Dominion* (that is) *ſupreme power* is indiviſible, inſomuch as no man can ſerve two Maſters, but two Perſons *male and female*, muſt concurre in the act of generation, its impoſſible that *Dominion* ſhould at all be acquired by generation onely. Wherefore we will with the more diligence in this place, enquire

quire into the original of *paternal Government*.

Dominion over Infants belongs to him who who first hath them in his power.

II. Wee must therefore returne to the state of nature, in which, by reason of the equality of nature all men of riper yeares are to be accounted equall; There *by right of nature* the Conqueror is *Lord* of the conquered: *by the Right* therefore of *nature*, the Dominion over the *Infant* first belongs to him who first hath him in his power, but it's manifest that *he* who is newly *born* is in the *Mothers* power before any others, insomuch as she may rightly, and at her own will, either [illegible]

Dominion over Infants is originally the Mothers.

III. If therefore she breed him (because the state of nature is the state of warre) she is supposed to bring him up on this condition, that being grown to full age he become not her enemy; (which is) that he obey her. For since by naturall necessity we all *desire* that which appears good *unto us*, it cannot be understood that any man hath on such termes afforded life to another, that he might both get strength by his years, and at once become an enemy; but each man is an enemy to that other whom he neither obeys nor commands. And thus in the state of nature, every woman that bears children, becomes both a *Mother*, and a *Lord*. But what some say, that in this case, the *Father* by reason of the preeminence of sexe, and not the *Mother*, becomes *Lord*, signifies nothing, for both reason shewes the contrary, because the inequality of their naturall forces is not so great, that the *man* could get the Dominion over the *woman* without warre, and custome also contradicts not; for *women*, namely *Amazons*, have in former times

waged

waged war against their adversaries, and disposed of their *children* at their own wils, and at this day in divers places, *women* are invested with the *principall authority*. Neither doe their husbands dispose of their *children*, but *themselves*; which in truth they do *by the right of nature*; forasmuch as they who have the supreme power, are not tyed at all (as hath bin shewed) to the civill lawes. Adde also that in the state of nature it cannot be known who is the *Father*, but by the testimony of the *Mother*; the child therefore is his whose *the Mother* will have it, and therefore *herdren* belongs to the *Mother*, and among men no lesse then other creatures: The birth followes the belly.

IV. The *Dominion* passes from the *Mother* to others, divers wayes; first, if she quit and forsake her Right by *exposing the child*. He therefore that shall bring up the childe thus exposed, shall have the same Dominion over it, which the *Mother* had. For that life which the *Mother* had given it (not *by getting*, but *nourishing it*) she now *by exposing*, takes from it; Wherefore the obligation also which arose from the benefit of life, is by this exposition made voyd. Now the preserved, oweth all to the preserver, whether in regard of his education as to a *Mother*, or of his *service*, as to a *Lord*; for although the *Mother* in the state of nature, where all men have a right to all things, may recover her sonne again (namely by the same Right that any body else might doe it) yet may not the *Sonne* rightly transferre himselfe again unto his Mother.

The exposed Infant is his that preserves him.

V. Secondly,

The ſonne of a Subject and chiefe, is his that commands.

V. Secondly, if the *Mother* be taken priſoner, her *Sonne* is his that took her, becauſe that he who hath *Dominion* over the *Perſon*, hath alſo *Dominion* over all belonging to the Perſon; Wherefore over the *Soune* alſo, as hath been ſhewed in the foregoing Chapter, in the fifth Article. Thirdly, if the Mother be a ſubject under what government ſoever, he that hath the ſupreme authority in that government, will alſo have the *Dominion* over him that is born of her, for he is Lord alſo of the *Mother*; who is bound to for ſociety take give her leave to a man on this condition; that *he* ſhall bear the ſway; he that *receives his being* from the contribution of both Parties, is the *Fathers*, in regard of the command he hath over the *Mother*; but if *a woman bearing rule* ſhall have *children* by a *Subject*, the children are the *Mothers*: for otherwiſe the woman can have no children without prejudice to her authority. And univerſally, if the ſociety of the *male* and *female* be ſuch an *union*, as the one have ſubjected himſelfe to the other, the *children* belong to him or her *that commands.*

In ſuch a conjunction of male and female, as neither hath the commanding power over the other, the children are the Mo-

VI. But in the ſtate of nature, if a *man*, and *woman* contract ſo, as neither is ſubject to the command of the other, the children are the *Mothers* for the reaſons above given in the third Article, unleſſe by pacts it be otherwiſe provided. For the *Mother* may by pact diſpoſe of her Right as ſhe liſts, as heretofore hath been done by the Amazons, who of thoſe children which have been begotten by their neighbours, have by pact allowed them the *males*, and retained the females

females to themſelves; but in a civill government, if there be a contract of marriage between a *man* and *woman*, the children are the *Fathers*; becauſe in all Cities, *viz.* conſtituted of *Fathers*, not *Mothers* governing their *families*, the domeſticall command belongs to the man, and ſuch a contract, if it be made according to the civill Laws, is called *MATRIMONY*; but if they agree only to lye together, the *children* are the *Fathers*, or the *Mothers* variouſly, according to the differing civill Lawes of divers Cities.

thers, except by pact, or civill law, it be otherwiſe determined.

VII. Now becauſe by the third Article the *Mother is originally Lord of her Children*, and from her the *Father*, or ſome body elſe by derived Right, it is manifeſt that the *Children* are no leſſe ſubject to thoſe by whom they are nouriſht, and brought up, then *Servants* to their *Lords*, and *Subjects* to him who beares the *Supreme Rule*, and that a *Parent* cannot be injurious to his *Sonne* as long as he is under his power. A *Son* alſo is freed from ſubjection on the ſame manner as a *ſubject* and *ſervant* are. For *emancipation* is the ſame thing with *manumiſſion*, and *abdication* with *baniſhment*.

Children are no leſſe ſubject to their Parents, then ſervants to their Lords, and ſubjects to their City.

VIII. The *enfranchiſed ſon*, or *releaſed ſervant*, doe now ſtand in leſſe fear of their *Lord* and *Father* being deprived of his naturall and lordly power over them, and (if regard be had to true and inward *Honour*) doe *Honour* him leſſe, then before. For *Honour* (as hath been ſaid in the ſection above) is nothing elſe but the eſtimation of anothers power; and therefore he that hath leaſt power, hath alwayes leaſt *Honour*. But it is not to be imagin'd that the *enfranchiſer*

Of the honour due to Parents and Lords.

ever

ever intended ſo to match the *enfranchiſed* with himſelf, as that he ſhould not ſo much as acknowledge a benefit, but ſhould ſo carry himſelf in all things, as if he were become wholly his equall; It muſt therefore be ever underſtood, That he who is freed from ſubjection, whether he be a *ſervant*, *ſonne*, or ſome *colony*, doth promiſe all thoſe externall ſignes, at leaſt whereby Superiours uſed to be *Honour'd* by their inferiours. From whence it followes, That the precept of *honouring* our *Parents*, belongs to the *law of nature*, not onely under the title of *Gratitude*, but alſo of *Agreement*.

Wherein liberty doth conſiſt, and the difference between ſubjects and ſervants.

IX. What then, will ſome one demand, is the difference between a *ſonne*, or between a *ſubject*, and a *ſervant*? Neither doe I know that any Writer hath fully declared what *liberty*, and what *ſlavery* is. Commonly to doe all things according to our own phancies, and that without puniſhment, is eſteem'd to be *liberty*; not to be able to doe this, is judg'd *bondage*; which in a Civill Government, and with the peace of mankind cannot poſſibly be done, becauſe there is no City without a Command, and a reſtraining Right. LIBERTY, that we may define it, is nothing elſe but an *abſence of the lets, and hinderances of motion*, as water ſhut up in a veſſell is therefore not at liberty, becauſe the veſſell hinders it from running out, which the veſſell being broken, is *made free*. And every man hath more or leſſe *liberty*, as he hath more or leſſe ſpace in which he employes himſelf: as he hath more *liberty*, who is in a large, then he that is kept in a cloſe priſon. And a man may

be

be *free* toward one part, and yet not toward another as the traveller is bounded on this, and that ſide with hedges, or ſtone walls, leſt he ſpoyle the vines, or corne, neighbouring on the high way. And theſe kinde of lets are externall, and abſolute; in which ſenſe all *Servants*, and *Subjects* are *free*, who are not fetter'd and impriſoned. There are others which are arbitrary, which doe not abſolutely hinder motion, but by accident; to wit, by our own choyce, as he that is in a ſhip is not ſo hindered, but he may caſt himſelfe into the Sea, if he will: and here alſo the more wayes a man may move himſelfe, the more *liberty* he hath, and herein conſiſts civill *liberty*; for no man, whether *ſubject*, *ſonne*, or *ſervant*, is ſo hindred by the puniſhments appointed by the *City*, the *Father*, or the *Lord*, how cruell ſoever, but that he may doe all things, and make uſe of all meanes neceſsary to the preſervation of his life and health: for my part therefore I cannot finde what reaſon a meer *ſervant* hath to make complaints, if they relate onely to want of *liberty*, unleſse he count it a miſery to be reſtrained from hurting himſelfe, and to receive that life, (which by warre, or misfortune, or through his own idleneſse was forfeited) together with all manner of ſuſtenance, and all things neceſsary to the conſervation of health, on this condition only, that he will be rul'd: for he that is kept in by puniſhments layd before him, ſo as he dares not let looſe the reines to his will in all things; is not oppreſt by *ſervitude*, but is governed and ſuſtained. But this priviledge *free ſubjects* and *ſonnes* of a family,

have

have above *ſervants*, (in every goverment, and family, where ſervants are) that they may both undergoe the more honourable offices of the City or family, and alſo enjoy a larger poſſeſſion of things ſuperfluous. And herein layes the difference between a *free ſubject*, and a *ſervant*, that he is *FREE* indeed, who ſerves his City onely; but a *SERVANT* is he who alſo ſerves his fellow ſubject: all other liberty is an exemption from the Lawes of the City, and proper only to thoſe that bear Rule.

There is the ſame Right in an hereditary, which there is in an inſtitutive government.

X. A *Father*, with his *ſonnes* and *ſervants* growne into a civill Perſon by vertue of his paternall jurisdiction, is called a *FAMILY*. This *family*, if through multiplying of *children*, and acquiſition of *ſervants*, it becomes numerous, inſomuch as without caſting the uncertain dye of warre, it cannot be ſubdued, will be termed an *Hereditary Kingdome*; which though it differ from an *inſtitutive Monarchy*, being acquired by force in the original, & manner of its conſtitution; yet being conſtituted, it hath al the ſame properties, and the Right of authority is every where the ſame, inſomuch as it is not needfull to ſpeak any thing of them apart.

The queſtion concerning the Right of ſucceſſion, belongs onely to Monarchy.

XI. It hath been ſpoken, by what Right ſupreme authorities are conſtituted. Wee muſt now briefly tell you by what right they may be continued. Now the Right by which they are continued, is that which is called the right of *SUCCESSION*. Now becauſe in a *Democratie*, the ſupreme authority is with the *People*, as long as there be any ſubjects in being, ſo long it reſts with the ſame Perſon; for the People hath no

Succeſſour.

Succeſſour. In like manner in an *Ariſtocraty*, one of the Nobles dying, ſome other by the reſt is ſubſtituted in his place, and therefore except they all dye together, which I ſuppoſe will never happen, there is no *ſucceſſion*. The Querie therefore of the Right of *Succeſſion* takes place onely in an *abſolute Monarchy*. For they who exerciſe the ſupreme power for a time onely, are themſelves no *Monarchs*, but *Miniſters* of ſtate.

A Monarch may diſpoſe of the command of his government by Teſtament.

XII. But firſt, if a *Monarch* ſhall by Teſtament appoint one to *ſucceed* him, the Perſon appointed ſhall *ſucceed*; for if he be appointed by the *People*, he ſhall have all the Right over the City which the *People* had, as hath been ſhewed in the 7. Chap. Art. 11. but the *People* might chooſe him, by the ſame Right therefore may he chooſe another; but in an *hereditary Kingdome* there are the ſame Rights as in an *inſtitutive*; wherefore, every Monarch may by his will make a *ſucceſſour*.

Or give it away, or ſell it.

XIII. But what a man may transferre on another by Teſtament, that by the ſame Right may he yet living, give, or ſell away; To whomſoever therefore he ſhall make over the ſupreme power, whether by giſt, or ſale, it is rightly made.

A Monarch dying without Teſtament, is ever underſtood to will, that a Monarch ſhould ſucceed him.

XIV. But if living, he have not declared his will concerning his *ſucceſſour* by Teſtament, not otherwiſe, it is ſuppoſed, Firſt, that he would not have his Government reduced to an Anarchy, or the ſtate of warre, (that is) to the deſtruction of his ſubjects; as well becauſe he could not doe that without breach of the Lawes of nature, whereby he was obliged to the performance of all

things neceſſarily conducing to the preſervation of Peace, as alſo becauſe if that had been his will, it had not been hard for him to have declared that openly. Next, becauſe the Right paſſeth according to the will of the Father, we muſt judge of the *ſucceſſour* according to the ſignes of his will. It is underſtood therefore, that he would have his ſubjects to be under a *Monarchicall* Government rather then any other, becauſe he himſelfe in ruling, hath before approved of that ſtate by his example, and hath not afterward either by any word or deed condemned it.

And ſome one of his children.

XV. Furthermore, becauſe by naturall neceſſity all men wiſh them better from whom they receive glory, and honour, then others; but every man after death receives honour and glory from his children, ſooner then from the power of any other men: hence we gather, that a father intends better for his children, then any other perſons. It is to be underſtood therefore, that the will of the father, dying without Teſtament, was, that ſome of his children ſhould *ſucceed* him, yet this is to be underſtood with this proviſo, that there be no more apparent tokens to the contrary: of which kind, after many *ſucceſſions*, cuſtome may be one, for he that makes no mention of his *ſucceſſion*, is ſuppoſed to conſent to the cuſtomes of his Realme.

And a male rather then female.

XVI. Among children the Males carry the preheminence, in the beginning perhaps, becauſe for the moſt part (although not alwayes) they are fitter for the adminiſtration of greater matters, but ſpecially

of

of wars; but afterwards, when it was grown a cuſtome, becauſe that cuſtome was not contradicted; and therefore the will of the *Father*, unleſſe ſome other cuſtome or ſigne doe clearly repugne it, is to be interpreted in favour of them.

And of the males, the eldeſt rather then the yonger.

XVII. Now becauſe the *Sonnes* are equall, and the power cannot be divided, the eldeſt ſhall *ſucceed*; for if there be any differenee by reaſon of age, the eldeſt is ſuppoſed more worthy, for nature being judge, the moſt in years (becauſe uſually it is ſo) is the wiſeſt. But other Judge there cannot be had. But if the Brothers muſt be equally valued, the *ſucceſſion* ſhall be *by lot*, but *primogeniture* is a naturall lot, and by this the eldeſt is already prefer'd, nor is there any that hath power to judge, whether by this, or any other kind of lots the matter is to be decided. Now the ſame reaſon which contends thus for the firſt-born ſonne, doth no leſſe for the firſt born daughter.

And his Brother if he want iſſue before all others.

XVIII. But if he have no children, then the command ſhall paſs to his Brothers & Siſters, for the ſame reaſon, that the children ſhould have *ſucceeded* if he had had them: for thoſe that are neareſt to us in nature, are ſuppoſed to be neareſt in benevolence; and to his brothers, ſooner then his ſiſters, and to the elder ſooner then the yonger; for the reaſon is the ſame for theſe which it was for the children.

In the ſame manner that men ſucceed to the power, doe they alſo ſucceed to the Right of ſucceſſion: for if the firſt-born dye before the Farher, it will be judged, that he transferred his Right of ſuc ceſſion

XIX. Furthermore, by the ſame reaſon that men *ſucceed* to the power, doe they alſo ſucceed to the Right of *ſucceſſion*: for if the firſt-born dye before the Farher, it will be judged, that he transferred his Right of *ſuc ceſſion the power,*

doe they also succeed to the Right of Succession.

cession unto his children, unlesse the Father have otherwise decreed it, and therefore the Nephewes will have a fairer pretence to the *succesion*, then the Uncles. I say all these things will be thus, if the custome of the place (which the Father by not contradicting, will be judged to have consented to) doe not hinder them.

Chap. X.

A comparison between 3. kinds of government, according to their severall inconveniences.

I. *A comparison of the* naturall *state with the* civill. II. *The conveniences and inconveniences of the* Ruler *and his* Subjects *are alike.* III. *The praise of* Monarchy. IV. *The Government under one cannot be said to be unreasonable in this respect, namely because one hath more power then all the rest.* V. *A Rejection of their opinion, who say that a* Lord *with his* Servants *cannot make a* City. VI. *Exactions are more grievous under a* popular State, *then a* Monarchy. VII. *Innocent Subjects*

jects are leſſe expoſed to penalties under a Monarch, *then under the* People. VIII. *The liberty of ſingle Subjects is not leſſe under a* Monarch, *then under a* People. IX. *It is no diſadvantage to the Subiects, that they are not all admitted to publick deliberations.* X. *Civill deliberations are unadviſedly committed to great Aſſemblies, by reaſon of the* unskilfulnes *of the moſt part of men.* XI. *In regard of* eloquence. XII. *In regard of* faction. XIII. *In regard of the* unſtablenes *of the Lawes.* XIV. *In regard of the want of* ſecrecy. XV. *That theſe inconveniences adhere to* Democraty, *foraſmuch as men are naturally delighted with the eſteeme of wit.* XVI. *The inconveniencies of a City ariſing from a King that is a* childe. XVII. *The power of Generalls, is an evident ſign of the excellence of* Monarchy. XVIII. *The beſt ſtate of a City is that, where the Subiects are the Rulers inheritance.* XIX. *The nearer* Ariſtocraty *drawes to* Monarchy, *the better it is, the further it keeps from it, the worſe.*

A comparing the state of nature with the civill.

I. WHat *Democraty*, *Aristocraty*, and *Monarchy* are, hath already been spoken, but which of them tends most to the preservation of the subjects Peace, and procuring their advantages, we must see by comparing them together; but first let us set forth the advantages, and disadvantages of a City in generall, lest some perhaps should think it better, that every man be left to live at his own will, then to constitute any civill society at all. Every man indeed out of the state of civill government hath a most entire, but unfruitfull liberty; because that he who by reason of his own liberty acts all at his own will, must also by reason of the same liberty in others, suffer al at anothers wil; but in a constituted City, every subject retains to himselfe as much freedom as suffices him to live well, and quietly, & there is so much taken away from others, as may make them not to be feared. Out of this state, every man hath such a Right to all, as yet he can enjoy nothing in it, each one securely enjoyes his limited Right; Out of it, any man may rightly spoyle, or kill one another; in it, none but one. Out of it we are protected by our own forces; in it, by the power of all. Out of it no man is sure of the fruit of his labours; in it, all men are. Lastly, out of it, there is a Dominion of Passions, war, fear, poverty, slovinlinesse, solitude, barbarisme, ignorance, cruelty. In it, the Dominion of reason, peace, security, riches, decency, society, elegancy, sciences, and benevolence.

The gains and losses of the

II. *Aristotle* in his seventh book, and fourteenth Chapter of his Politiques saith, that there are two sorts of governments, where-

whereof the one relates to the benefit of the *Ruler*, the other to that of the *Subjects*; as if where Subjects are severely dealt with, there were *one*, and where more mildly, there were *another* form of government; which opinion may by no means be subscribed to, for all the profits and disprofits arising from government are the same, and common both to the *Ruler*, and the *Subject*; The Dammages which befall some particular subjects through misfortune, folly, negligence, sloth, or his own luxury, may very well be severed from those which concern the Ruler, but those relate not to the government it selfe, being such as may happen in any form of government whatsoever. If these same happen from the first institution of the City, they will then be truly called the inconveniencies of government, but they will be common to the Ruler with his subjects, as their benefits are common; but the first and greatest benefit, Peace, and defence, is common to both, for both he that commands, and he who is commanded, to the end that he may defend his life, makes use at once of all the forces of his fellow-subjects; and in the greatest inconvenience that can befall a City, namely the slaughter of subjects, arising from Anarchy, both the Commander, and the Parties commanded, are equally concerned. Next, if the Ruler levie such a summe of vast monies from his subjects, as they are not able to maintain themselves, and their families, nor conserve their bodily strength, and vigour, the disadvantage is as much his, as theirs, who with never so great a stock, or measure of

riches, is not able to keep his authority or his riches without the bodies of his ſubjects; but if he raiſe no more then is ſufficient for the due adminiſtration of his power, that is a benefit equall to himſelfe and his ſubjects, tending to a common Peace, and defence; nor is it imaginable which way *publick* treaſures can be a grievance to *private* ſubjects, if they be not ſo exhauſted, as to be wholly deprived from all poſſibility to acquire, even by their induſtry, neceſſaries to ſuſtain the ſtrength of their bodies, and mindes; for even thus the grievance would concern the Ruler, nor would it ariſe from the ill inſtitution, or ordination of the government, (becauſe in all manner of governments ſubjects may be oppreſt) but from the ill adminiſtration of a well eſtabliſhed government.

The praiſe of Monarchy.

III. Now that *Monarchy* of the foreſaid forms, of *Democraty*, *Ariſtocraty*, and *Monarchy*, hath the preheminence, will beſt appear by comparing the conveniences and inconveniences ariſing in each one of them. Thoſe arguments therefore that *the whole* univerſe is governed by *one* God; that the *Ancients* preferr'd the *Monarchicall* ſtate before all others, aſcribing the Rule of the Gods to one *Jupiter*; that in the beginning of affairs, and of Nations, the decrees of Princes were held for Laws; that *paternall* government inſtituted by God himſelfe in the Creation, was *Monarchicall*; that other governments were compacted * by the artifice of men out of the aſhes of *Monarchy*, after it had been ruined with ſeditions; and that the people of God were under the juriſdiction of Kings, although I

ſay

ſay theſe doe hold forth *Monarchy* as the more eminent to us, yet becauſe they doe it by examples and teſtimonies, and not by ſolid reaſon, we will paſſe them over.

Compacted by the artifice of men, &c.] *It ſeems the Ancients who made that ſame fable of* Prometheus *pointed at this. They ſay, that* Prometheus *having ſtolne fire from the Sunne, formed a man out of clay, and that for this deed he was tortured by* Jupiter *with a perpetuall gnawing in his liver, which is, that by humane invention (which is ſignified by* Prometheus*) Laws and Juſtice were by imitation taken from Monarchy, by vertue whereof (as by fire removed from its naturall orbe) the multitude (as the durt and dregs of men) was as it were quickned and formed into a civill Perſon, which is termed Ariſtocraty, or Democraty; but the Authours and Abettors being found, who might ſecurely and quietly have lived under the natural jurisdiction of Kings, doe thus ſmart for it, that being expoſed ſtill to alteration, they are tormented with perpetuall cares, ſuſpitions, and diſſentions.* *Annotation*

I V. Some there are who are diſcontented with the government under *one*, for no other reaſon, but becauſe it is under *one*; as if it were an unreaſonable thing that *one man* among ſo many, ſhould ſo farre excell in power, as to be able at his own pleaſure to diſpoſe of all the reſt; theſe men ſure, if they could, would withdraw themſelves from under the Dominion of *one* God. But this exception againſt *one* is ſuggeſted by envie, while they ſee one man in poſſeſsion of what all deſire: for the ſame cauſe they would judge it to be as unreaſonable, if *a few* commanded, *The government of one cannot be ſaid to be evill in this reſpect, namely becauſe one hath more power then all the reſt.*

manded, unleſse they themſelves either were, or hoped to be of the number; for if it be an unreaſonable thing that all men have not an equall Right, ſurely an Ariſtocraty muſt be unreaſonable alſo; but becauſe we have ſhewed that the ſtate of equality is the ſtate of warre, and that therefore inequality was introduc'd by a generall conſent; this inequality whereby he, whom we have voluntarily given more to, enjoyes more, is no longer to be accompted an unreaſonable thing. The inconveniences therefore which attend the Dominion of *one man*, attend his *Perſon*, not his *Unity*. Let us therefore ſee whether brings with it the greater grievances to the ſubject, the command of *one man*, or of *many*.

Rejection of their opinion, who ſay that a Lord with his ſervants cannot make a City.

V. But firſt, we muſt remove their opinion who deny that to be any City at all, which is compacted of never ſo great a number of ſervants under a common Lord. In the 9. Artic. of the 5. Chapter, a *City* is defined to be one *Perſon* made out of many men, whoſe will by their own contracts is to be eſteemed as the wills of them all, inſomuch as he may uſe the ſtrength and faculties of each ſingle Perſon for the publick Peace and ſafety; and by the ſame article of the ſame Chapter, *One Perſon* is that, when the wills of many are contained in the will of one, but the will of each ſervant is contained in the will of his Lord, as hath been declared in the 5. Article of the 8. Chapter, ſo as he may employ all their forces and faculties according to his own will, and pleaſure; it followes therefore that that muſt needs be a city, which is conſtituted by a *Lord*, and

many

many *ſervants*; neither can any reaſon be brought to contradict this which doth not equally combat againſt a City conſtituted by a *Father*, and his *Sonnes*; for to a *Lord* who hath no *children*, *ſervants* are in the nature of *ſonnes*; for they are both his honour, and ſafeguard; neither are *ſervants* more ſubject to their *Lords*, then *children* to their *Parents*, as hath been manifeſted above in the 5. Article of the 8. Chapter.

VI. Among other grievances of ſupreme authority one is, that the Ruler, beſide thoſe monies neceſsary for publick charges, as the maintaining of publick Miniſters, building, and defending of Caſtles, waging warres, honourable ſuſtaining his own houſhold, may alſo, if he will, exact others through his luſt, whereby to enrich his *ſonnes*, *kindred*, *favourites*, and *flatterers* too. I confeſse this is a grievance, but of the number of thoſe which accompany all kindes of government, but are more tolerable in a *Monarchy* then in a *Democraty*; for though the *Monarch* would enrich them, they cannot be many, becauſe belonging but to one, but in a *Democraty*, look how many Demagoges, (that is) how many powerfull *Oratours* there are with the people (which ever are many, and daily new ones growing) ſo many *Children*, *Kinſmen*, *friends*, & *Flatterers*, are to be rewarded; for every of them deſire not onely to make their families as potent, as illuſtrious in wealth, as maybe, but alſo to oblige others to them by benefits for the better ſtrengthning of themſelves. A *Monarch* may in great part ſatisfie his Officers and Friends, becauſe they are not many, without any coſt

The exactions are more grievous under command of the people, then under the Monarch.

to

to his Subjects, I mean, without robbing them of any of those Treasures given in for the maintenance of War, and Peace; In a *Democraty*, where many are to be satisfied, and alwayes new ones, this cannot be done without the Subjects oppression. Though a *Monarch* may promote unworthy Persons, yet oft times he will not doe it; but in a *Democraty* all the *popular men* are therefore suppos'd to doe it, because it is necessary; for else, the power of them who did it would so encrease, as it would not onely become dreadfull to those others, but even to the whole City also.

Innocent Subjects are lesse obnoxious to punishment under a Monarch then under the People.

VII. Another grievance is, that same perpetuall fear of death which every man must necessarily be in, while he considers with himself that the Ruler hath power not onely to appoint what punishments he lists on any Transgressions, but that he may also in his wrath, and sensuality, slaughter his innocent Subjects, and those who never offended against the Lawes. And truly this is a very great grievance in any forme of Government whereſoever it happens: (for it is therefore a grievance because it is; not, because it may be done) but it is the fault of the Ruler, not of the Government; For all the acts of *Nero* are not essentiall to Monarchie; yet Subjects are lesse often undeservedly condemn'd under *one Ruler*, then under the *People*: For Kings are onely severe against those who either trouble them with impertinent Counsells, or oppose them with reproachfull words, or controule their Wills; but they are the cause that that excesse of power

which

which one Subject might have above another becomes harmleſſe; wherefore ſome *Nero* or *Caligula* reigning, no men can undeſervedly ſuffer, but ſuch as are known to him, namely Courtiers, and ſuch as are remarkable for ſome eminent Charge, and not all neither, but they onely who are poſſeſſed of what he deſires to enjoy; for they that are offenſive, and contumelious, are deſervedly puniſht; whoſoever therefore in a *Monarchy* will lead a retired life, let him be what he will that Reignes, he is out of danger: for the ambitious onely ſuffer, the reſt are protected from the injuries of the more potent: but in a *popular Dominion* there may be as mane *Nero's*, as there are Oratours who ſooth the *People*; for each one of them can doe as much as the *People*, and they mutually give way to each others appetite (as it were by this ſecret pact, *Spare me to day, and Ile ſpare thee to morrow*) while they exempt thoſe from puniſhment, who to ſatisfie their luſt, and private hatred, have undeſervedly ſlain their fellow-ſubjects. Furthermore, there is a certain limit in private power, which if it exceed, it may prove pernicious to the Realme, and by reaſon whereof it is neceſsary ſometimes for *Monarchs* to have a care that the common-weale do thence receive no prejudice. When therefore this power conſiſted in the multitude of Riches, they leſſened it by diminiſhing their heaps, but if it were in *popular applauſe*, the powerfull party without any other crime laid to his charge, was taken from among them. The ſame was uſually practiſed in *Democraties*; for the Athenians

nians inflicted a punishment of *ten yeares banishment* on those that were powerfull, meerly because of their powers, without the guilt of any other crime, and those who by liberall gifts did seek the favour of the common people, were put to death at Rome, as men ambitious of a Kingdome. In this *Democraty* and *Monarchy* were eaven; yet differ'd they much in fame, because fame derives from the People, and what is done by many, is commended by many: and therefore what the *Monarch* does, is said to be done out of envie to their vertues, which if it were done by the *People*, would be accounted Politie.

Single Persons have no lesse liberty under a Monarch, then under the People.

VIII. There are some who therefore imagine *Monarchy* to bee more grievous then *Democraty*, because there is lesse liberty *in that*, then in *this*. If by *liberty* they mean an exemption from that subjection which is due to the Lawes (*i. e.*) the commands of the *People*, neither in *Democraty*, nor in any other state of government whatsoever, is there any such kind of *liberty*. If they suppose *liberty* to consist in this, that there be few lawes, few prohibitions, and those too such, that except they were forbidden, there could be no Peace; then I deny that there is more *liberty* in *Democraty* then *Monarchy*; for the one as truly consisteth with such a liberty, as the other: for although the word *liberty*, may in large, and ample letters be written over the gates of any City whatsoever, yet is it not meant the *Subjects*, but the *Cities* liberty, neither can that word with better Right be inscribed on a City which is governed by the

people,

people, then that which is ruled by a *Monarch*; but when private men or ſubjects demand *liberty*, under the name of liberty, they ask not for *liberty*, but *dominion*, which yet for want of underſtanding, they little conſider; for if every man would grant the ſame liberty to another, which he deſires for himſelfe, as is commanded by the law of nature, that ſame naturall ſtate would return again, in which all men may by Right doe all things, which if they knew, they would abhor, as being worſe then all kind of civill ſubjection whatſoever; but if any man deſire to have his ſingle freedome, the reſt being bound, what does he elſe demand but to have the *Dominion?* for who ſo is freed from all bonds, is *Lord* over all thoſe that ſtill continue bound. Subjects therefore have no greater liberty in a *Popular*, then in a *Monarchicall* State, That which deceives them, is the equall *participation* of command, and publique places; for where the *Authority* is in the People, ſingle ſubjects doe ſo far forth *ſhare* in it as they are parts of the *People* ruling; and they equally partake in publique Offices ſo far forth as they have equall voices in chooſing Magiſtrates, and publique Miniſters. And this is that which *Ariſtotle* aim'd at, himſelf alſo, through the cuſtome of that time, miſ-calling Dominion liberty, in his ſixth Book, and ſecond Chapter of *Poli. In a popular State there is liberty by ſuppoſition; which is a ſpeech of the vulgar, as if no man were free out of this State.* From whence, by the way, we may collect, That thoſe Subjects, who in a *Monarchy* deplore their loſt liberty, doe onely ſtomack

mack this, that they are not receiv'd to the ſteerage of the Common-weal.

It is no diſadvantage to the Subjects that they are not all admitted to the publique deliberations.

IX. But perhaps for this very reaſon ſome will ſay, That a *Popular State* is much to be preferr'd before a *Monarchicall*; becauſe that, where all men have a hand in publique buſineſſes, there all have an opportunity to ſhew their wiſedome, knowledge, and eloquence, in deliberating matters of the greateſt difficulty and moment, which by reaſon of that deſire of praiſe which is bred in humane nature, is to them who excell in ſuch like faculties, and ſeeme to themſelves to exceed others, the moſt delightfull of all things; but in a Monarchy, this ſame way to obtain praiſe, and honour, is ſhut up to the greateſt part of Subjects; and what is a grievance, if this be none? Ile tell you: To ſee his opinion whom we ſcorne, preferr'd before ours; to have our wiſedome undervalued before our own faces; by an uncertain tryall of a little vaine glory, to undergoe moſt certaine enmities (for this cannot be avoided, whether we have the better, or the worſe) to hate, and to be hated, by reaſon of the diſagreement of opinions; to lay open our ſecret Counſells, and adviſes to all, to no purpoſe, and without any benefit; to neglect the affaires of our own Family: Theſe, I ſay, are grievances. But to be abſent from a triall of wits, although thoſe trialls are pleaſant to the Eloquent, is not therefore a grievance to them, unleſſe we will ſay, that it is a grievance to valiant men to be reſtrained from fighting, becauſe they delight in it.

X. Be-

X. Besides, there are many reasons why deliberations are lesse successefull in great Assemblies, then in lesser Councells; whereof one is, that to advise rightly of all things conducing to the preservation of a Common-weal, we must not onely understand matters at home, but Forraign Affaires too; at Home, by what goods the Country is nourished, and defended, and whence they are fetched; what places are fit to make Garrisons of; by what means Souldiers are best to be raised, and maintained; what manner of affections the Subjects bear toward their Prince, or Governours of their Country, and many the like: Abroad, what the power of each neighbouring Country is, and wherein it consists; what advantage, or disadvantage we may receive from them; what their dispositions are both to us-ward, and how affected to each other among themselves, and what Counsell daily passeth among them. Now, because very few in a great Assembly of men understand these things, being for the most part unskilfull (that I say not incapable) of them, what can that same number of advisers with their impertinent Opinions contribute to good Counsells, other then meer letts and impediments?

Civill deliberations are unadvisedly committed to many, by reason of the unskilfulnesse of most men.

XI. Another reason why a great Assembly is not so fit for consultation is, because every one who delivers his opinion holds it necessary to make a long continued Speech, and to gain the more esteem from his Auditours, he polishes, and adornes it with the best, and smoothest language, now the nature

By reason of their Eloquence.

nature of *Eloquence* is to make *Good* and *Evill*, *Profitable* and *Unprofitable*, *Honeſt* and *Diſhoneſt*, appear to be more or leſſe then indeed they are, and to make that ſeem *juſt*, which is *unjuſt*, according as it ſhall beſt ſuit with his end that ſpeaketh. For this is to perſwade; and though they reaſon, yet take they not their riſe from true Principles, but from vulgar received opinions, which, for the moſt part, are erroneous; neither endeavour they ſo much to fit their ſpeech to the nature of the things they ſpeak of, as to the Paſſions of their mindes to whom they ſpeak, whence it happens that opinions are delivered not by right reaſon, but by a certain violence of mind. Nor is this fault in the *Man*, but in the nature it ſelfe of *Eloquence*, whoſe end (as all the Maſters of Rhetorick teach us) is not truth (except by chance) but victory, and whoſe property is not to inform, but to allure.

By reaſon of Faction.

XII. The third reaſon why men adviſe leſſe ſuccefully in a great convent is, becauſe that thence ariſe *Factions* in a common-weal, and out of *Factions*, Seditions, and Civill War; for when equall Oratours doe combat with contrary Opinions, and Speeches, the conquered hates the Conquerour, and all thoſe that were of his ſide, as holding his Counſell, and wiſedome in ſcorne: and ſtudyes all meanes to make the adviſe of his adverſaries prejudiciall to the State, for thus he hopes to ſee the glory taken from him, and reſtored unto himſelf: farthermore, where the Votes are not ſo unequall, but that the conquered have hopes by the acceſſion of ſome

few

few of their own opinion at another ſitting to make the ſtronger Party, the chief heads do call the reſt together, they adviſe a part how they may abrogate the former judgment given, they appoint to be the firſt and earlieſt at the next convent, they determine what, and in what order each man ſhall ſpeak, that the ſame buſineſſe may again be brought to agitation, that ſo what was confirmed before by the number of their then preſent adverſaries, the ſame may now in ſome meaſure become of no effect to them, being negligently abſent, and this ſame kind of induſtry and diligence which they uſe to *make* a people, is commonly called a *faction*; but when a *faction* is inferiour in votes, and ſuperiour, or not much inferiour in power, then what they cannot obtain by craft, and language. they attempt by force of armes, and ſo it comes to a civill warre. But ſome will ſay, theſe things doe not neceſſarily, nor often happen; he may as well ſay, that the chief Parties are not neceſsarily deſirous of vain glory; and that the greateſt of them ſeldom diſagree in great matters.

By reaſon of the unſetledneſſe of the Laws.

XIII. It followes hence, that when the legiſlative power reſides in ſuch convents as theſe, the Laws muſt needs be inconſtant, and change, not according to the alteration of the ſtate of affaires, nor according to the changeableneſse of mens mindes, but as the major part, now of this, then of that *faction*, do *convene*; inſomuch as the Laws do ſtote here, and there, as it were upon the waters.

For want of ſecrecy.

XIV. In the fourth place, the counſels of great aſsemblies have this inconvenience, that whereas it is oft of great conſequence, that

that they ſhould be kept ſecret, they are for the moſt part diſcovered to the enemy before they can be brought to any effect, and their power, and will, is as ſoon known abroad, as to the *People* it ſelfe *commanding* at home.

Theſe inconveniences do adhere to Democraty, foraſmuch as men are naturally delighted with an opinion of wit.

XV. Theſe inconveniences which are found in the deliberations of great aſſemblies do ſo farre forth evince *Monarchy* to be better then *Democraty*, as in *Democraty* affairs of great conſequence are oftner truſted to be diſtruſt by ſuch like Committees, then in a *Monarchy*, neither can it eaſily bee done otherwayes; for there is no reaſon why every man ſhould not naturally rather minde his *own private*, then the *publique* buſineſſe, but that here he ſees a means to declare his eloquence, whereby he may gain the reputation of being ingenuous, and wiſe, and returning home to his friends, to his Parents, to his wife, and children, rejoyce, and triumph in the applauſe of his dexterous behaviour: As of old all the delight *Marcus Coriolanus* had in his warlike actions, was, to ſee his praiſes ſo well pleaſing to his Mother. But if the *People* in a *Democraty* would beſtow the power of deliberating in matters of Warre, and Peace, either on one, or ſome very few, being content with the nomination of Magiſtrates, and publique Miniſters, that is to ſay, with the authority without the miniſtration, then it muſt be confeſt, that in this particular, *Democraty* and *Monarchy* would be equall.

The inconveniences of govern-

XVI. Neither do the conveniencies or inconveniences which are found to be more in one kind of government then another, ariſe from

from hence, namely, becauſe the government it ſelf, or the adminiſtration of its affairs, are better committed to one, then many; or on the other ſide, to many, then to ſome few; for Government, is the *power*, the adminiſtration of it, is the *act*, now the *power* in all kind of government is equall; the *acts* only differ, that is to ſay the *actions*, and *motions* of a common-weale, as they flow from the deliberations of many, or few, of skilfull, or impertinent men. Whence we underſtand, that the conveniences, or inconveniences of any government, depend not on him in whom the authority reſides, but on his Officers, and therefore nothing hinders, but that the common-weale may be well governed, although the *Monarch* be a woman, or youth, or infant, provided that they be fit for affaires, who are endued with the publique Offices, and charges; And that which is ſaid, *Woe to the land whoſe King is a childe*, doth not ſignifie the condition of a *Monarchy* to be inferiour to a Popular ſtate, but contrariwiſe, that by accident it is the grievance of a Kingdome, that the *King being a childe*, it often happens, that many by ambition, and power, intruding themſelves into publique counſels, the government comes to be adminiſtred in a *Democraticall* manner, and that thence ariſe thoſe infelicities which for the moſt part accompany the *Dominion of the People*.

ment proceeding from a King who is a childe.

The power of Generalls is an argument of the excellency of Monarchy.

XVII. But it is a manifeſt ſign, that the moſt abſolute *Monarchy* is the beſt ſtate of government, that not onely Kings, but even thoſe Cities which are ſubject to the *people*, or to *Nobles*, give the whole command

command of warre to one only, and that ſo abſolute, as nothing can be more (wherein by the way this muſt be noted alſo, that no King can give a Generall greater authority over his army, then he himſelfe by Right may exerciſe over all his ſubjects) *Monarchy* therefore is the beſt of all governments in the Camps. But what elſe, are many Common-wealths, then ſo many Camps ſtrengthened with armes, and men againſt each other, whoſe ſtate (becauſe not reſtrained by any common power, howſoever an uncertain peace, like a ſhort truce, may paſſe between them) is to be accounted for the ſtate of nature, which is the ſtate of War.

The beſt ſtate of a Common-weale, is that where the ſubjects are the Rulers inheritance.

XVIII. Laſtly, ſince it was neceſſary for the preſervation of our ſelves to be ſubject to ſome *Man*, or *Councell*, we cannot on better condition be ſubject to any, then one whoſe intereſt depends upon our ſafety, and welfare; and this then comes to paſſe when we are the inheritance of the Ruler; for every man of his own accord endeavours the preſervation of his inheritance. But the Lands, and Monies of the Subjects are not onely the Princes Treaſure, but their bodies, and wildy minds; which will be eaſily granted by thoſe who conſider at how great rates the Dominion of leſſer Countries is valued, and how much eaſier it is for men to procure mony, then money men; nor doe we readily meet with any example that ſhewes us when any ſubject, without any default of his own, hath by his Prince been deſpoiled of his life, or goods, through the ſole licenciouſneſſe of his Authority.

XIX. Hi-

XIX. Hitherto we have compared a *Monarchicall*, with a *Popular* State; we have said nothing of *Aristocracy*; we may conclude of this, by what hath been said of those, that, that which is hereditary, and content with the election of Magistrates; which transmits its deliberations to some few, and those most able; which simply imitates the government of *Monarchs* most, and the *People* least of all, is for the Subjects both better, and more lasting then the rest.

Aristocraty is so much better by how much it approaches nearer to Monarchie, the worse by how much it is more distant from it.

CHAP. XI.

Places and Examples of Scripture of the Rights of Government agreeable to what hath beene said before.

I. *The beginning of institutive Government from the consent of the People.* II. Judicature *and* Wars *depend on the will of Supreme Commanders.* III. *That they who have the Chief Authority are by Right unpunishable.* IV. *That without a Supreme Power there is no* Government, *but* Anarchy. V. *That from Servants and Sons there is a simple*

simple obedience due to their Lords, and Parents. VI. *Absolute Authority proved by most evident places as well of the New, as the Old Testament.*

The beginning of institutive Govcrnment from the consent of the People.

I. WE have in the 6. Chapter, and the 2. Article, so derived the Originall of institutive, or politicall Government from the consent of the Multitude, that it appears they must either all consent, or be esteem'd as Enemies. Such was the beginning of Gods Government over the Jewes instituted by *Moses*, *If ye will obey my voice indeed, &c. Ye shall be unto me a Kingdome of Priests, &c. And* Moses *came, and called the Elders of the People, &c. And all the people answered, and said: All that the Lord hath spoken we will do,* Exod. 19. *ver.* 5,6,7,8. Such also was the beginning of *Moyses* his power under God, or of his Vicegerency. *And all the people saw the thunderings and lightenings, and the noyse of the Trumpet,* &c. *And they said unto* Moyses, *speak thou unto us, and we will hear.* Exod. 20. 18, 19. The like beginning also had *Sauls* Kingdome. *When yee saw that* Nahash *King of the children of* Ammon *came out against you, yee said unto me, nay, but a King shall raign over us, when the Lord your God was your King; Now therefore behold the King whom yee have chosen, and whom yee have desired.* 1 Sam. 12.12. But the major part only consenting, and not all (for there were certain *Sons of Belial,* who said, *How shall this man save us? and they dispised him,* 1 Sam. 10.27.) those who

who did not consent were put to death as Enemies; And the people said unto *Samuel, Who is he that said, shall* Saul *reign over us? Bring the men that we may put them to death.* 1 Sam. 11. 22.

The power of judicature, and determination of [illegible] depend on the will of the Supreme Officer.

II. In the same 6. Chapter, the 6. and 7. Articles, I have shewed, that all *Judgment* and *Wars* depend upon the will and pleasure of him who beares the Supreme Authority; that is to say, in a *Monarchy*, on a *Monarch*, or *King*; and this is confirmed by the Peoples owne judgement. *Wee also will be like all the Nations, and our King shall* JUDGE *us, and goe out before us, and fight our* BATTELS. 1 *Sam.* 8. 20. And what pertaines to *Judgements*, and all other matters, whereof there is any controversie, whether they be *Good*, or *Evill*, is confirmed by the testimony of King *Solomon. Give therefore thy Servant an understanding heart to* JUDGE *thy People, that I may discerne between* GOOD *and* EVILL. 1. Kings 3. 9. And that of Absolom, *There is no man deputed of the King to heare thee.* 2. Sam. 15. 3.

They who have the supreme authority, are by Right unpunishable.

III. That Kings may not be punished by their subjects, as hath been shewed above in the sixth Chapter, and the twelfth Article, King *David* also confirmes, who, though *Saul* sought to slay him, did notwithstanding refrain his hand from killing him, and forbad *Abishai*, saying, *Destroy him not; for who can stretch forth his hand against the Lords Anointed, and be innocent?* 1 Sam. 22. v. 9. And when he had cut off the skirt of his garment, The Lord *forbid* (saith he) *that I should doe this thing unto my Master the Lords*

Anointed, to ſtretch forth mine hand againſt him. 1 *Sam.* 24. 7. And commanded the Amalekite, who for his ſake had ſlain *Saul*, to be put to death. 2 *Sam.* 1. 15.

That without a ſupreme power, there is no government but confuſion.

IV. That which is ſaid in the 17. Chapter of *Judges*, at the 6. verſe. *In thoſe dayes there was no King in Iſrael, but every man did that which was right in his own eyes* (as though where there were not a *Monarchy*, there were an *Anarchy* or confuſion of all things) may be brought as a teſtimony to prove the excellency of Monarchy above all other forms of government, unleſſe that by the word *King* may perhaps be underſtood, not *one man* onely, but alſo a *Court*, provided that in it there reſide a ſupreme power, which if it be taken in this ſenſe, yet hence it may follow, that without a ſupreme and abſolute power (which we have endeavoured to prove in the ſixth Chapter) there will be a liberty for every man to doe what hee hath a minde, or whatſoever ſhall ſeem right to himſelfe; which cannot ſtand with the preſervation of mankinde, and therefore in all Government whatſoever, there is ever a ſupreme power underſtood to be ſomewhere exiſtent.

That ſervants and ſonnes, owe their Lords and Parents ſimple obedience.

V. We have in the 8. Chapter, the 7. and 8. Article, ſaid, that *Servants* muſt yeeld a ſimple obedience to their *Lords*, and in the 9. Chapter, Article 7. that *Sonnes* owe the ſame obedience to their *Parents*. Saint *Paul* ſayes the ſame thing concerning Servants, *Servants obey in all things your Maſters according to the fleſh, not with eye-ſervice, as menpleaſers, but in ſingleneſſe of heart, fearing God.* Coloſ. 3. 22. Concerning Sonnes, *Children obey*

obey your Parents in all things, for this is well pleasing unto the Lord. Colos. 3. 20. Now as wee by simple obedience understand *ALL THINGS* which are not contrary to the Lawes of God; so in those cited places of Saint *Paul*, after the word *ALL THINGS*, we must suppose, *excepting those which are contrary to the Lawes of God.*

The absolute power of Princes proved by most evident testimonies of the Scripture, as well new as old.

VI. But that I may not thus by peecemeale prove the right of Princes, I will now instance those testimonies which altogether establish the whole power, (namely that there is an absolute and simple obedience due to them from their subjects) And first out of the new Testament. *The Scribes and Pharisees sit in* Moyses *seat; all therefore, whatsoever they bid you observe, that observe, and doe.* Mat. 23. 2. *Whatsoever they bid you,* (sayes he) *observe*, that is to say, obey *simply.* Why? Because they *sit in* Moyses *seat*; namely, the *civill Magistrates*, not *Aaron*, the Priests. *Let every soule be subject to the higher powers, for there is no power but of God, the powers that be are ordained of God; whosoever therefore resisteth the power, resisteth the ordinance of God, and they that resist shall receive to themselves damnation.* Rom. 13. 1. Now because the powers that were in Saint *Pauls* time were ordained of God, and all Kings did at that time require an absolute entire obedience from their subjects, it followes that such a power was ordained of God. *Submit your selves unto every ordinance of man for the Lords sake, whether it bee to the King as supreme, or unto Governours, as unto them that are*

ſent by him, for the puniſhment of wicked doers, and for the praiſe of them that doe well, for ſo is the will of God. 1 Pet. 2.13. *Again Saint* Paul *to* Titus, *Put them mind to bee ſubject to Principalitiies and Powers, to obey Magiſtrates, &c.* Chap.3. verſ. 1. What Principalities? Was it not to the Principalities of thoſe times, which required an abſolute obedience? Furthermore, that we may come to the example of Chriſt himſelfe, to whom the Kingdome of the Jewes belonged by hereditary Right, derived from *David* himſelfe; He when he lived in the manner of a ſubject, both paid tribute unto *Cæſar*, and pronounced it to be due to him. *Give unto* Cæſar (ſaith he) *the things which are* Cæſars, *and unto God, the things which are Gods.* Mat. 22. 21. When it pleaſed him to ſhew himſelfe a King, he required entire obedience. *Goe* (ſaid he) *into the village over againſt you, and ſtraightway yee ſhall finde an Aſſe tyed, and a Colt with her, looſe them, and bring them unto me; and if any man ſay ought unto you, yee ſhall ſay the Lord hath need of them.* Mat. 14. 2. This he did therefore by the right of being Lord, or a King of the Jewes. But to take away a ſubjects goods on this pretence onely, becauſe *the Lord hath need of them*, is an abſolute power. The moſt evident places in the old Teſtament are theſe, *Goe thou near, and heare ALL that the Lord our God ſhall ſay, and ſpeak thou unto us all that the Lord our God ſhall ſpeak unto thee, and we will hear it, and doe it.* Deut. 5. 27. But under the word *all*, is contained abſolute obedience. Again to *Joſhua. And they anſwered* Joſhua *ſaying*, *ALL*

that

that thou commandeſt us, we will doe, and whitherſoever thou ſendeſt us, we will goe; according as we hearkened unto Moyſes *in* A L L *things, ſo will we hearken unto thee, onely the Lord thy God be with thee, as he was with* Moyſes; *whoſoever hee be that doth rebell againſt thy Commandement, and will not hearken unto thy words in* A L L *that thou commandeſt him, he ſhall be put to death.* Joſhua 1. 16, 17, 18. And the Parable of the Bramble. *Then ſaid all the trees unto the Bramble, Come thou, and reign over us; And the Bramble ſaid unto the trees, If in truth yee anoint me King over you, then come and put your truſt in my ſhadow; and if not, let fire come out of the Bramble, and devoure the Cedars of* Lebanon. *Judges* 9. verſ. 14, 15. The ſenſe of which words is, that we muſt acquieſe to their ſayings, whom we have truly conſtituted to be Kings over us, unleſse we would chuſe rather to be conſumed by the fire of a civill warre. But the Regall authority is more particularly deſcribed by God himſelfe, in the 1. Sam. 8. verſ. 9. &c. *Shew them the Right of the King that ſhall reign over them, &c. This ſhall be the Right of the King that ſhall reign over you; he will take your Sons, and appoint them for himſelf, for his Chariots, and to be his horſemen, and ſome ſhall runne before his Chariots, &c. And he will take your daughters to be confectionaries, &c. And he will take your vineyards, and give them to his Servants,* &c. Is not this power abſolute? And yet it is by God himſelf ſtyled the *KINGS RIGHT*; neither was any man among the Jewes, no not the *High Prieſt* himſelfe, exempted from this obedience. For when the King (namely

Solomon) *said* to Abiathar *the Prieſt, Get thee to* Anathoth *unto thine own fields, for thou art worthy of death, but I will not at this time put thee to death, becauſe thou bareſt the Ark of the Lord God before* David *my father, and becauſe thou haſt been afflicted in all wherein my Father was afflicted. So* Solomon *thruſt out* Abiathar *from being Prieſt unto the Lord.* 1 Kings. 2. 26. It cannot by any argument be proved, that this act of his diſpleaſed the Lord; neither read we, that either *Solomon* was reproved, or that his Perſon at that time was any whit leſſe acceptable to God.

Chap. XII.

Of the internall cauſes, tending to the diſſolution of any Government.

I. That the judging of good and evill belongs to private Perſons, *is a ſeditious opinion.* II. That ſubjects doe ſinne by obeying their Princes, *is a ſeditious opinion.* III. That Tyrannicide is lawfull, *is a ſeditious opinion.* IV. That thoſe who have the ſupreme power, are ſubject to the civill Lawes, *is a ſeditious opinion.* V. That the ſupreme power may be divided, *is a*

ſeditious

seditious opinion. VI. That faith, and sanctity, are not acquired by study and reason, but alwayes supernaturally infused, and inspired, *is a seditious opinion.* VII. That each subject hath a propriety, or absolute Dominion of his owne goods, *is a seditious opinion.* VIII. *Not to understand the difference between the People and the Multitude, prepares toward sedition.* IX. *Too great a Taxe of monies, though never so just and necessary, prepares toward sedition.* X. *Ambition disposeth us to sedition.* XI. *So doth the hope of successe.* XII. *Eloquence alone without Wisdom, is the only faculty needfull to raise seditions.* XIII. *How the folly of the common people, and the eloquution of ambitious men, concur to the destruction of a Common-weale.*

That the judgement of good and evill belongs to private Persons, is a seditious opinion.

I. HItherto hath been spoken by what causes, and Pacts, Common-weals are constituted, and what the Rights of Princes are over their subjects; Now we will briefly say somewhat concerning the causes which dissolve them, or the reasons of seditions. Now as in the motion of naturall bodies, three things are to be consi-

dered, namely, *internall disposition*, that they be susceptible of the motion to be produced; the *externall Agent*, whereby a certain and determined motion may in act be produced; and the *action it selfe*: So also in a Common-weale where the subjects begin to raise tumults, three things present themselves to our regard; First the *Doctrines* and the *Passions* contrary to Peace, wherewith the mindes of men are fitted and disposed; next their quality and condition who solicite, assemble, and direct them already thus disposed, to take up armes, and quit their allegiance; Lastly, the manner how this is done, or the *faction* it selfe: But one, and the first which disposeth them to sedition, is this, *That the knowledge of good and evill belongs to each single man.* In the state of nature indeed, where every man lives by equall Right, and have not by any mutuall Pacts submitted to the command of others, we have granted this to be true, nay in the first Chapter, Article 9. that the civill Lawes were the Rules *of good and evill*, *just* and *unjust*, *honest* and *dishonest*; that therefore what the Legislator commands, must be held for *good*, and what he forbids for *evill*; and the Legislator is ever that Person who hath the supreme power in the Commonweale, that is to say, the Monarch in a Monarchy. We have confirmed the same truth in the eleventh Chapter, Article 2. out of the words of *Solomon*; for if private men may pursue that as good, and shun that as evill which appears to them to be so, to what end serve those words of his? *Give therefore unto thy servant an understanding heart*

heart to judge thy People, that I may discern between good and evill. Since therefore it belongs to Kings to discerne betweene *good* and *evill*, wicked are those, though usuall sayings, *that he onely is a King who does righteously*, and *that Kings must not be obeyed, unlesse they command us just things*, and many other such like. Before there was any government, *just* and *unjust* had no being, their nature onely being relative to some cõmand, and every action in its own nature is indifferent; that it becomes *just*, or *unjust*, proceeds from the right of the Magistrate: Legitimate Kings therefore make the things they command, just, by commanding them, and those which they forbid, unjust, by forbidding them; but private men while they assume to themselves the knowledge of *good* and *evill*, desire to be even as Kings, which cannot be with the safety of the Common-weale. The most ancient of all Gods commands is, *Gen.* 2. 15. *Thou shalt not eat of the tree of knowledge of good and evill*; and the most ancient of all diabolicall tentations, Chap. 3. vers. 5. *Yee shall be as Gods, knowing good and evill*; and Gods first expostulation with man, vers. 11. *Who told thee that thou wert naked? Hast thou eaten of the tree, whereof I cõmanded thee that thou shouldest not eat?* As if he had said, how comest thou to judge that nakednes, wherein it seemed good to me to create thee, to be shamefull, except thou have arrogated to thy selfe the *knowledge* of good and evill?

II. Whatsoever any man doth against his conscience is a sinne, for he who doth

That subjects doe sin

in obeying their Princes, is a seditious opinion.

so, contemns the Law. But we must distinguish; That is my sinne indeed, which committing, I doe beleeve to be my sinne, but what I beleeve to be another mans sin, I may sometimes doe that without any sin of mine; for if I be commanded to doe that which is a sin in him who commands me, if I doe it, and he that commands me be by Right, Lord over me, I sinne not; for if I wage warre at the Commandement of my Prince, conceiving the warre to be unjustly undertaken, I doe not therefore doe unjustly, but rather if I refuse to doe it, arrogating to my selfe the knowledge of what is just and unjust, which pertains onely to my Prince. They who observe not this distinction, will fall into a necessity of sinning, as oft as any thing is commanded them, which either is, or seems to be unlawfull to them: for if they obey, they sin against their conscience, and if they obey not, against Right. If they sin against their conscience, they declare that they fear not the paines of the world to come; if they sinne against Right, they doe as much as in them lyes, abolish humane society, and the civill life of the present world. Their opinion therefore who teach, *that subjects sinne when they obey their Princes commands, which to them seem unjust,* is both erroneous, and to be reckoned among those which are contrary to civill obedience; and it depends upon that originall errour which we have observed above in the foregoing Article; for by our taking upon us to judge of *good* and *evill*, we are the occasion, that as well our obedience, as disobedience, becomes sin unto us.

III. The

III. The third seditious doctrine springs from the same root, *That a Tyrannicide is lawfull*; Nay, at this day it is by many Divines, and of old it was by all the Philosophers, *Plato*, *Aristotle*, *Cicero*, *Seneca*, *Plutarch*, and the rest of the maintainers of the Greek, and Roman Anarchies, held not only unlawfull, but even worthy of the greatest contempt. And under the title of Tyrants, they mean not onely Monarchs, but all those who bear the chief rule in any Government whatsoever; for not *Pisistratus* onely at Athens, but those thirty also who succeeded him, and ruled together, were all called *Tyrants*. But he, whom men require to be put to death as being *a Tyrant*, commands either by Right, or without Right; if without Right, he is an enemy, and by Right to be put to death; but then this must not be called *the killing a Tyrant*, but an *enemy*: if by Right, then the divine interrogation takes place, *Who hath told thee that he was a Tyrant, hast thou eaten of the tree whereof I commanded thee that thou shouldest not eat?* For why doest thou call him a *Tyrant*, whom God hath made a *King*, except that thou being a private Person, usurpest to thy self the knowledge of *good* and *evill*? But how pernicious this opinion is to all governments, but especially to that which is *Monarchicall*, we may hence discerne, namely, that by it every *King*, whether good or ill, stands exposed to be condemned by the judgement, and slain by the hand of every murtherous villain.

That Tyrannicide is lawfull, is a seditious opinion.

IV. The fourth adversary opinion to Civill Society, is theirs, who hold, *That*

That even they who

they

have the Supreme power are ſubject to the Civill Lawes, is a ſeditious Opinion.

they who bear Rule are Subject alſo to the Civill Lawes; which hath been ſufficiently proved before not to be true in the 6. Chap. Artic. 14. from this Argument, That a City can neither be bound to it ſelf, nor to any ſubject; not to it ſelfe, becauſe no man can be obliged except it be to another; not to any Subject, becauſe the ſingle wills of the Subjects are contained in the will of the City, inſomuch, that if the City will be free from all ſuch obligation, the Subjects will ſo too; and by conſequence ſhe is ſo; But that which holds true in a City, that muſt be ſuppoſed to be true in a man, or an aſſembly of men, who have the Supreme Authority, for they make a City, which hath no being but by their Supreme Power. Now that this Opinion cannot conſiſt with the very being of Government, is evident from hence, that by it the knowledge of what is *Good* and *Evill*, that is to ſay, the definition of what is, and what is not againſt the Lawes, would return to each ſingle Perſon: Obedience therefore will ceaſe as oft as any thing ſeemes to be commanded contrary to the Civill Lawes, and together with it, all coercive juriſdiction, which cannot poſſibly be without the deſtruction of the very eſſence of Government; Yet this Errour hath great props, *Ariſtotle*, and others; who, by reaſon of humane infirmity, ſuppoſe the Supreme Power to be committed with moſt ſecurity to the Lawes onely; but they ſeem to have lookt very ſhallowly into the nature of Government, who thought that the conſtrainning Power, the interpretation of Lawes,

and

and the making of Lawes, (all which are powers neceſſarily belonging to Government) ſhould be left wholly to the Lawes themſelves. Now although particular Subjects may ſometimes contend in judgement, and goe to Law with the Supreme Magiſtrate, yet this is onely then, when the queſtion is not what the Magiſtrate may, but what by a certain Rule he hath declared he would doe; As, when by any Law the Judges ſit upon the life of a Subject, the queſtion is not whether the Magiſtrate could by his abſolute Right deprive him of his life; but whether by that Law his will was that he ſhould be deprived of it; but his will was, he ſhould, if he brake the Law, elſe, his will was he ſhould not: This thetefore, that a Subject may have an action of Law againſt his Supreme Magiſtrate, is not ſtrength of Argument ſufficient to prove that he is tyed to his own Lawes. On the contrary, it is evident, that he is not tied to his owne Lawes, becauſe no man is bound to himſelf. Lawes therefore are ſet for *Titius*, and *Caius*, not for the Ruler: however, by the ambition of Lawyers, it is ſo ordered, that the Lawes, to unskilfull men ſeeme not to depend on the Authority of the Magiſtrate, but their Prudence.

V. In the fifth place, *That the Supreme Authority may be divided*, is a moſt fatall Opinion to all Common-weales. But diverſe men divide it diverſe wayes. For ſome divide it ſo as to grant a Supremacy to the Civill Power in *matters* pertaining to Peace, and the benefits of this life, but in things concerning the ſalvation of the Soul they

That the Supreme Power may be divided is a ſeditious opinion.

they transfer it on others; Now, becauſe juſtice is of all things moſt neceſſary to Salvation, it happens, that Subjects meaſuring juſtice, not as they ought, by the Civill Lawes, but by the precepts and doctrines of them, who in regard of the Magiſtrate, are either private men, or ſtrangers, through a ſuperſtitious fear dare not perform the obedience due to their Princes, through fear falling into that which they moſt feared: Now what can be more pernicious to any ſtate, then that men ſhould, by the apprehenſion of everlaſting torments, be deterred from obeying their Princes, that is to ſay, the Lawes, or from being juſt? There are alſo ſome who divide the Supreme Authority ſo as to allow the power of War, and Peace, unto one, (whom they call a *Monarch*) but the right of raiſing Monies they give to ſome others, and not to him: But becauſe monies are the ſinewes of War, and Peace, they who thus divide the Authority, doe either really not divide it at all, but place it wholly in them, in whoſe power the money is, but give the name of it to another, or if they doe really divide it, they diſſolve the Government: for neither upon neceſſity can War be waged, nor can the publique Peace be preſerved without Money.

That faith and holineſs are not acquired by ſtudy and reaſon, but are ever ſu-

VI. It is a common doctrine, *That faith and holineſſe are not acquired by ſtudy, and naturall reaſon, but are alwayes ſupernaturally infuſed, and inſpired into men:* which, if it were true, I underſtand not why we ſhould be commanded to give an account of our faith; or why any man, who is truly a Chriſtian,

Christian, should not be a Prophet; or lastly, why every man should not judge what's fit for him to doe, what to avoid, rather out of his own inspiration, then by the precepts of his Superiours, or right Reason. A return therefore must be made to the private knowledge of *Good* and *Evil*; which cannot be granted without the ruine of all Governments. This Opinion hath spread it self so largely through the whole Christian world, that the number of Apostates from natural reason is almost become infinite, and it sprang from sick-brained men, who having gotten good store of Holy Words by frequent reading of the Scriptures, made such a connexion of them usually in their preaching, that their Sermons signifying just nothing, yet to unlearned men seemed most divine; for he whose non-sense appears to be a Divine speech, must necessarily seeme to be inspired from above.

supernaturally infused and inspired, is a seditious Opinion.

VII. The seventh Doctrine opposite to Government, is this, *That each subject hath an absolute Dominion over the goods he is in possession of.* That is to say, such a *propriety* as excludes not only the right of all the rest of his fellow-subjects to the same goods, but also of the Magistrate himself, which is not true; for they who have a *Lord* over them, have themselves no *Lordship*, as hath been proved, Chap. 8. Artic. 5. Now the Magistrate is Lord of all his Subjects, by the constitution of Government. Before the yoke of Civill Society was undertaken, no man had any *proper Right*; all things were *common* to all men; tell me therefore, how gotteſt

That single Subjects have any propriety, or absolute Dominion over their own goods, is a seditious Opinion.

gotteſt thou this *propriety* but from the Magiſtrate? How got the Magiſtrate it, but that every man transferred his Right on him? and thou therefore haſt alſo given up thy Right to him; thy *Dominion* therefore, and *Propriety*, is juſt ſo much as he will, and ſhall laſt ſo long as he pleaſes; even as in a Family, each Son hath ſuch *proper* goods, and ſo long laſting, as ſeeme good to the Father. But the greateſt part of men who profeſſe Civill Prudence, reaſon otherwiſe; we are equall (ſay they) by nature; there is no reaſon why any man ſhould by better Right take my goods from me, then I his from him; we know that mony ſometimes is needfull for the defence and maintenance of the publique; but let them, who require it, ſhew us the preſent neceſſity, and they ſhall willingly receive it. They who talk thus, know not, that what they would have, is already done from the beginning in the very conſtitution of Government, and therefore ſpeaking as in a diſſolute multitude, and yet not faſhioned Government, they deſtroy the frame.

Not to know the difference between a People and a Multitude prepares to Sedition.

VIII. In the laſt place, it's a great hindrance to Civill Government, eſpecially Monarchicall, that men diſtinguiſh not enough between a *People* and a *Multitude*. The *People* is ſomewhat that is *one*, having *one will*, and to whom one action may be attributed; none of theſe can properly be ſaid of a Multitude. The *People* rules in all Governments, for even in *Monarchies* the *People* Commands; for the *People* wills by the will of *one man*; but the Multitude are

Citizens,

Citizens, that is to say, Subjects. In a *Democraty*, and *Aristocraty*, the Citizens are the *Multitude*, but the *Court* is the *People*. And in a *Monarchy*, the Subjects are the *Multitude*, and (however it seeme a Paradox) the King is the *People*. The common sort of men, and others who little consider these truthes, do alwayes speak of a *great number* of men, as of the *People*, that is to say, the *City*; they say that the *City* hath rebelled against the *King* (which is impossible) and that the *People* will, and nill, what murmuring and discontented Subjects would have, or would not have, under pretence of the *People*, stirring up the *Citizens* against the *City*, that is to say, the *Multitude* against the *People*. And these are almost all the Opinions wherewith Subjects being tainted doe easily Tumult. And forasmuch as in all manner of Government Majesty is to be preserv'd by him, or them who have the Supreme Authority, the *crimen læsæ Majestatis* naturally cleaves to these Opinions.

Too great a Tax of Money, though never so just and necessary, disposeth men to Sedition.

IX. There is nothing more afflicts the mind of man then *Poverty*, or the *want* of those things which are necessary for the preservation of life, and honour; and though there be no man but knowes that riches are gotten with industry, and kept by frugality, yet all the poor commonly lay the blame on the Evill Government, excusing their own sloth, and luxury, as if their private goods forsooth were wasted by publique exactions; But men must consider, that they who have no patrimony, must not onely labour that they may live, but fight too,

too, that they may labour. Every one of the Jewes, who in *Eſdras* his time built the Walls of *Jeruſalem*, did the work with one hand, and held the Sword in the other. In all Government we muſt conceive that the hand which holds the Sword is the *King*, or *Supreme Councell*, which is no leſſe to be ſuſtained, and nouriſht, by the Subjects care and induſtry, then that wherewith each man procures himſelf a private fortune; and that *Cuſtomes*, and *Tributes*, are nothing elſe but their reward who watch in Armes for us, that the labours and endeavours of ſingle men may not be moleſted by the incurſion of enemies; and that their complaint, who impute their poverty to publick Perſons, is not more juſt, then if they ſhould ſay that they are become in want by paying of their debts: But the moſt part of men conſider nothing of theſe things, for they ſuffer the ſame thing with them who have a diſeaſe they call an *Incubus*, which ſpringing from Gluttony, it makes men believe they are invaded, oppreſt, and ſtifled with a great weight: Now it is a thing manifeſt of it ſelfe, that they who ſeeme to themſelves to be burthened with the whole load of the Common-weal, are prone to be Seditious; and that they are affected with change, who are diſtaſted at the preſent ſtate of things.

Ambition diſpoſeth men to Sedition.

X. Another noxious diſeaſe of the mind is theirs, who having little employment, want Honour and Dignity. All men naturally ſtrive for Honour, and Preferment, but cheifly they who are leaſt troubled

roubled with caring for neceſſary things; for theſe men are invited by their vacancy ſometimes to diſputation among themſelves concerning the Common-weal, ſometimes to an eaſie reading of Hiſtories, Politiques, Orations, Poems, and other pleaſant Books, and it happens, that hence they think themſelves ſufficiently furniſht both with wit, and learning, to adminiſter matters of the greateſt conſequence. Now becauſe all men are not what they appear to themſelves, and if they were, yet all (by reaſon of the multitude) could not be received to publique Offices, its neceſſary that many muſt be paſſed by. Theſe therefore conceiving themſelves affronted, can deſire nothing more, partly out of envy to thoſe who were preferred before them, partly out of hope to overwhelm them, then ill ſucceſſe to the publique Conſultations; and therefore its no marvell if with greedy appetites they ſeek for occaſions of innovations.

XI. *The hope of overcomming* is alſo to be numbred among other ſeditious inclinations; for let there be as many men as you wil, infected with opinions repugnant to Peace, and civill Government, let there be as many as there can, never ſo much wounded and torne with affronts, and calumnies, by them who are in Authority, yet if there be no *hope of having the better of them*, or it appear not ſufficient, there will no ſedition follow; every man will diſſemble his thoughts, and rather content himſelf with the preſent burthen, then hazard an heavier weight; There are four things neceſſarily

So doth the hope of ſucceſſe.

rily requisite to this *hope*. Numbers, Instruments, mutuall trust, and Commanders. To resist publique Magistrates without a great number, is not Sedition, but Desperation. By Instruments of war I mean *all manner of armes, munition*, and other necessary provision, without which Number can doe nothing, nor Arms neither without *mutuall trust*; Nor all these without union under under some Commander, whom of their own accord, they are content to obey; not as being engaged by their submission to his command (for we have already in this very Chapter, supposed these kind of men not to understand, being obliged beyond that which seems right and good in their own eyes) but for some opinion they have of his vertue, or military skill, or resemblance of humours. If these four be near at hand to men grieved with the present state, and measuring the justice of their actions by their own judgements, there will be nothing wanting to sedition and confusion of the Realme, but one to *stirre up* and *quicken them*.

Eloquence alone without wisdom is the onely faculty needfull to raise seditions.

XII. *Salust* his Character of *Cataline*, (then whom there never was a greater Artist in raising seditions) is this, *That he had great eloquence, and little wisdome*; he separates *wisdome* from *eloquence*, attributing this as necessary to a man born for commotions, adjudging that as an instructresse of Peace, and quietnesse. Now, *eloquence* is twofold. The one is an elegant, and cleare expression of the conceptions of the mind, and riseth partly from the contemplation of the things themselves,

partly

partly from an understanding of words taken in their own proper, and definite signification; the other is a commotion of the Passions of the minde (such as are *hope, fear, anger, pitty*) and derives from a metaphoricall use of words fitted to the Passions: That forms a speech from true Principles, this from opinions already received, what nature soever they are of. The art of that is Logick, of this Rhetorick, the end of that is truth, of this victory. Each hath its use, that in deliberations, this in exhortations; for that is never disjoyned from *wisdome*, but this almost ever. But that this kind of powerfull *eloquence*, separated from the true knowledge of things, that is to say, from wisdome, is the true character of them who sollicite, and stirre up the people to innovations, may easily be gathered out of the work it selfe which they have to doe; for they could not poyson the people with those absurd opinions contrary to Peace and civill society, unlesse they held them themselves, which sure is an ignorance greater then can well befall any wise man, for he that knows not whence the Lawes derive their power, which are the Rules of *just* and *unjust*, *honest* and *dishonest*, *good* and *evill*, what makes and preserves Peace among men, what destroyes it, what is *his*, and what *anothers*, Lastly, what he would have done to himselfe (that he may doe the like to others) is surely to be accounted but meanly wise; but that they can turn their Auditors out of fools into madmen; that they can make things to them who are ill-affected seem worse, to them who are well-affected seem evil; that

they

they can enlarge their hopes, leſsen their dangers beyond reaſon: this they have from that ſort of eloquence, not which explains things as they are, but from that other, which by moving their mindes, makes all things to appear to bee ſuch as they in their mindes prepared before, had already conceived them.

How the folly of the common people, and the eloquence of ambitious men, concurre to the diſſolution of a Commonwcale.

XIII. Many men who are themſelves very well affected to civill ſociety, doe through want of knowledge, cooperate to the diſpoſing of ſubjects mindes to *ſedition*, whilſt they teach young men a doctrine conformable to the ſaid opinions in their Schooles, and all the people in their Pulpits: now they who deſire to bring this diſpoſition into Act, place their whole endeavour in this, Firſt, that they may joyn the ill affected together into *faction* and *conſpiracy*; next, that themſelves may have the greateſt ſtroke in the *faction*: They gather them into *faction*, while they make themſelves the relators, and interpretors of the counſels and actions of ſingle men, and nominate the Perſons and Places, to aſſemble and deliberate of ſuch things whereby the preſent government may be reformed, according as it ſhall ſeem beſt to their intereſts. Now to the end that they themſelves may have the chief rule in the *faction*, The *faction* muſt be kept in a *faction*, that is to ſay, they muſt have their ſecret meetings apart with a few, where they may order what ſhall afterward be propounded in a general meeting, and by whom, and on what ſubject, and in what order each of them ſhall ſpeak, and how they may draw the

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powerfulleſt, and moſt popular men of the *faction* to their ſide: and thus when they have gotten a faction big enough, in which they may rule by their eloquence, they move it to take upon it the managing of affaires, and thus they ſometimes oppreſſe the Common-wealth, namely where there is no other faction to oppoſe them, but for the moſt part they rend it, and introduce a civill warre, for *folly* and *eloquence* concurre in the ſubverſion of government in the ſame manner (as the fable hath it) as heretofore the daughters of *Palias* King of Theſſaly, conſpired with *Medea* againſt their father; They going to reſtore the decrepit old man to his youth again, by the counſell of *Medea*, they cut him into peeces, and ſet him in the fire to boyle, in vain expecting when he would live again; So the common people through their folly (like the daughters of *Palias*) deſiring to renew the ancient government, being drawne away by the *eloquence* of ambitious men, as it were by the witchcraft of *Medea*, divided into *faction*, they conſume it rather by thoſe flames, then they reforme it.

CHAP. XIII.

Concerning the duties of them who bear Rule.

I. *The Right of ſupreme authority is diſtinguiſhed from its exerciſe.*

II. *The*

II. *The safety of the people is the supreme Law.* III. *It behoves Princes to regard the common benefit of many, not the propriety of this, or that Man.* IV. *That by safety is understood all manner of conveniencies.* V. *A Querie, Whether it be the duty of Kings to provide for the salvation of their Subjects soules, as they shall judge best according to their owne consciences.* VI. *Wherein the safety of the people consists.* VII. *That discoverers are necessary for the defence of the people.* VIII. *That to have souldiers, armes, garrisons, and monies in a readinesse, in time of Peace, is also necessary for the defence of the People.* IX. *A right instruction of subjects in civill doctrines, is necessary for the preserving of Peace.* X. *Equall distributions of publick Offices, conduces much to the preservation of Peace.* XI. *It is naturall equity that monies be taxt according to what every man spends, not what he possesses.* XII. *It conduceth to the preservation of Peace, to keepe downe ambitious men.* XIII. *And to breake factions.*

XIV. *Lawes*

XIV. *Laws whereby thriving Arts are cherisht, and great costs restrained, conduce to the enriching of the Subiect.* XV. *That more ought not to be defined by the Lawes, then the benefit of the Prince and his Subiects requires.* XVI. *That greater punishments must not bee inflicted, then are prescribed by the Lawes.* XVII. *Subiects must have Right done them against corrupt Judges.*

I. BY what hath hitherto been said, the *duties* of Citizens and Subjects in any kind of government whatsoever, and the *power* of the supreme Ruler over them are apparent; but we have as yet said nothing of the *duties* of Rulers, and how they ought to behave themselves towards their Subjects; We must then distinguish between the *Right*, and the *exercise* of supreme authority, for they can be divided; as for example, when he who hath the *Right*, either cannot, or will not be present in judging trespasses, or deliberating of affaires: For Kings sometimes by reason of their age cannot order their affaires, sometimes also though they can doe it themselves, yet they judge it fitter, being satisfied in the choyce of their Officers and Counsellors, to exercise their power by them. Now where the *Right* and *exercise* are severed, there the government of the Common-weale, is like the ordinary government of the world, in which

The Right of supreme authority is distinguisht from its exercise.

God, the mover of all things, produceth naturall effects by the means of secondary causes; but where he, to whom the Right of ruling doth belong, is himselfe present in all judicatures, consultations, and publique actions, there the administration is such, as if God beyond the ordinary course of nature, should immediately apply himself unto all matters; we will therefore in this Chapter summarily and briefly speak somewhat concerning their *duties* who exercise authority, whether by their own or others Right. Nor is it my purpose to descend into those things, which being divers from others, some Princes may doe, for this is to be left to the Politicall Practices of each Common-weale.

The safety of the People is the supreme Law.

II. Now all the duties of Rulers are contained in this one sentence, *The safety of the people is the supreme Law*; for although they who among men obtain the chiefest Dominion, cannot be subject to Lawes properly so called, that is to say, to the will of men, because to be chief, and subject, are contradictories; yet is it their *duty* in all things, as much as possibly they can, to yeeld obedience unto right reason, which is the naturall, morall, and divine Law; But because dominions were constituted for Peaces sake, and Peace was sought after for safeties sake, he, who being placed in authority, shall use his power otherwise then to the safety of the people, will act against the reasons of Peace, that is to say, against the Lawes of nature; Now as the safety of the People dictates a Law by which Princes know their *duty*, so doth it also teach them

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an art how to procure themſelves a benefit; for the power of the Citizens, is the power of the City, that is to ſay, his that bears the chief Rule in any ſtate.

III. By the people in this place we underſtand, not one civill Perſon, namely the City it ſelfe which governs, but the multitude of ſubjects which are governed; for the City was not inſtituted for its own, but for the ſubjects ſake; and yet a particular care is not required of *this* or *that* man; for the Ruler (as ſuch) provides no otherwiſe for the ſafety of his people, then by his Lawes, which are univerſall; and therefore he hath fully *diſcharged* himſelfe, if he have throughly endeavoured by wholeſome conſtitutions, to eſtabliſh the welfare of the moſt part, and made it as laſting as may be; and that no man ſuffer ill, but by his own default, or by ſome chance which could not be prevented; but it ſometimes conduces to the ſafety of the moſt part, that wicked men doe ſuffer,

It is the duty of Princes to reſpect the common benefit of many, not the peculiar intereſt of this, or that man.

IV. But by *ſafety* muſt be underſtood, not the ſole preſervation of life in what condition ſoever, but in order to its happines. For to this end did men freely aſſemble themſelves, and *inſtitute* a government, that they might, as much as their humane condition would afford, live delightfully. They therefore who had undertaken the adminiſtration of power in ſuch a kinde of government, would ſinne againſt the Law of nature (becauſe againſt their truſt who had committed that power unto them) if they ſhould not ſtudy, as much as by good Laws could be effected, to furniſh their ſubjects

By ſafety is underſtood all manner of benefits.

abundantly, not only with the good things belonging to life, but also with those which advance to delectation. They who have acquired Dominion by arms, doe all desire that their subjects may be strong in body and mind, that they may serve them the better, wherefore if they should not endeavour to provide them, not only with such things whereby they may live, but also with such whereby they may grow strong and lusty, they would act against their own scope and end.

Query, Whether it be the duty of Kings to provide for the salvation of their subjects soules, as they shall judge best in their own consciences.

V. And first of all, Princes doe beleeve that it mainly concerns *eternall salvation*, what opinions are held of the Deity, and what manner of worship he is to be adored with; which being supposed, it may be demanded, whether chief Rulers, and whosoever they be, whether one or more, who exercise supreme authority, sin not against the Law of nature, if they cause not such a doctrine, and worship, to be taught and practised (or permit a contrary to be taught and practised) as they beleeve necessarily conduceth to the *eternall salvation* of their subjects? It is manifest that they act against their conscience, and that they will, as much as in them lies, the eternall perdition of their subjects; for if they willed it not, I see no reason why they should suffer, (when being supreme they cannot be compelled) such things to be taught and done, for which they beleeve them to be in a damnable state. But we will leave this difficulty in suspence.

Wherein the safety of the People consists.

VI. The benefits of subjects respecting this life only, may be distributed into foure kindes.

kindes. 1. That they be defended againſt forraign enemies. 2, That Peace be preſerved at home, 3. That they be enrich't as much as may conſiſt with publique ſecurity. 4. That they enjoy a harmeleſſe liberty; For ſupreme Commanders can conferre no more to their civill happineſſe, then that being preſerved from forraign and civill warres, they may quietly enjoy that wealth which they have purchaſed by their own iuduſtry.

VII. There are two things neceſſary for the Peoples defence; *To be warned, and to be forearmed*; for the ſtate of Commonwealths conſidered in themſelves, is natural, that is to ſay, hoſtile; neither if they ceaſe from fighting, is it therefore to be called Peace, but rather a breathing time, in which one enemy obſerving the motion and countenance of the other, values his ſecurity not according to the Pacts, but the forces and counſels of his adverſary; And this by naturall Right, as hath been ſhewed in the ſecond Chapter, 10. Artic. from this, that contracts are invalid in the ſtate of nature, as oft as any juſt fear doth intervene; It is therefore neceſſary to the defence of the City, Firſt, that there be ſome who may as near as may be, *ſearch into*, and *diſcover* the counſels and motions of all thoſe who may prejudice it; for *diſcoverers* to Miniſters of State, are like the beames of the Sunne to the humane ſoule, and we may more truly ſay in viſion politicall, then naturall, that the ſenſible, and intelligible Species of outward things, not well conſidered by others, are by the ayre tranſported to the ſoule,

That diſcoverers are neceſſary for the defence of the People.

(that is to say to them who have the Supreme Authority) and therefore are they no lesse necessary to the preservation of the State, then the rayes of the light are to the conservation of man; or if they be compared to Spiders webs, which extended on all sides by the finest threds, doe warn them, keeping in their small holds, of all outward motions; They who bear Rule can no more know what is necessary to be commanded for the defence of their Subjects without *Spies*, then those Spiders can when they shall goe forth, and whether they shall repair, without the motion of those threds.

To have Souldiers, Armes, Garrisons, and Money, in readinesse in times of Peace, is necessary for the Peoples defence.

VIII. Farthermore, its necessarily requisite to the peoples defence, that they be *fore-armed*. Now to be fore-armed is to be furnisht with Souldiers, Armes, Ships, Forts and Monies, before the danger be instant; for the listing of Souldiers, and taking up of Armes after a blow is given, is too late, at least if not impossible. In like manner, not to raise Forts, and appoint Garrisons in convenient places, before the Frontiers are invaded, is to be like those Country Swains (as *Demosthenes* said) who ignorant of the art of Fencing, with their Bucklers guarded those parts of the body where they first felt the smart of the strokes. But they who think it then seasonable enough to raise Monies for the maintenance of Souldiers, and other Charges of War, when the danger begins to shew it self, they consider not surely how difficult a matter it is to wring suddainly out of close-fisted men so vast a proportion of Monies; for almost all men,

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what they once reckon in the number of their goods, doe judge themſelves to have ſuch a right and propriety in it, as they conceive themſelves to be injured whenſoever they are forced to imploy but the leaſt part of it for the publique good. Now a ſufficient ſtock of monies to defend the Country with Armes, will not ſoon be raiſed out of the treaſure of Impoſts, and Cuſtomes; we muſt therefore, for fear of War, in time of Peace hoord up good ſumms, if we intend the ſafety of the Common-weal. Since therefore it neceſſarily belongs to Rulers for the Subjects ſafety to diſcover the Enemies Counſell, to keep Garriſons, and to have Money in continuall readineſſe, and that Princes are by the Law of Nature bound to uſe their whole endeavour in procuring the welfare of their Subjects, it followes, that its not onely lawfull for them to ſend out Spies, to maintain Souldiers, to build Forts, and to require Monies for theſe purpoſes, but alſo, not to doe thus, is unlawfull. To which alſo may be added, whatſoever ſhall ſeeme to conduce to the leſning of the power of forraigners whom they ſuſpect, whether by ſleight, or force. For Rulers are bound according to their power to prevent the evills they ſuſpect, leſt peradventure they may happen through their negligence.

A right inſtruction of Subjects in civill doctrines is neceſſary for the preſerving of Peace.

IX. But many things are required to the conſervation of inward Peace, becauſe many things concur (as hath been ſhewed in the foregoing Chapter) to its perrurbation. We have there ſhewed, that ſome things there are which diſpoſe the minds of

of men to ſedition, others which move and quicken them ſo diſpoſed. Among thoſe which diſpoſe them, we have reckoned in the firſt place certaine perverſe doctrines. Its therefore the duty of thoſe who have the chief Authority; to root thoſe out of the mindes of men, not by commanding, but by teaching; not by the terrour of penalties, but by the perſpicuity of reaſons; the Lawes whereby this evill may be withſtood are not to be made againſt the Perſons erring, but againſt the Errours themſelves. Thoſe errours which in the foregoing Chapter we affirmed were inconſiſtent with the quiet of the Common-weal, have crept into the mindes of ignorant men, partly from the Pulpit, partly from the daily diſcourſes of men, who by reaſon of little employment, otherwiſe, doe finde leaſure enough to ſtudy; and they got into theſe mens mindes by the teachers of their youth in publique ſchooles. Wherefore alſo, on the other ſide, if any man would introduce ſound Doctrine, he muſt begin from the *Academies*: There, the true, and truly demonſtrated foundations of civill Doctrine are to be laid, wherewith young men being once endued, they may afterward both in private and publique inſtruct the vulgar. And this they will doe ſo much the more cheerfully, and powerfully, by how much themſelves ſhall be more certainly convinced of the truth of thoſe things they profeſs, and teach; for ſeeing at this day men receive propoſitions, though falſe, and no more intelligible, then if a man ſhould joyne together a company of termes

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drawn by chance out of an urne, by reaſon of the frequent uſe of hearing them; how much more would they for the ſame reaſon entertain true doctrines ſuitable to their own underſtandings, and the nature of things? I therefore conceive it to be the duty of Supreme Officers to cauſe the true elements of civill Doctrine to be written, and to command them to be taught in all the Colledges of their ſeverall Dominions.

Equall diſtribution of publique burthens conduceth much to the preſervation of peace.

X. In the next place we ſhewed that grief of mind ariſing from *want* did diſpoſe the Subjects to Sedition, which want, although deriv'd from their own luxury, and ſloth, yet they impute it to thoſe who govern the Realm, as though they were drained and oppreſt by publique Penſions. Notwithſtanding it may ſometimes happen that this complaint may be juſt, namely, when the burthens of the Realm are unequally impoſed on the Subjects; For that which to all together is but a light weight, if many withdraw themſelves, it wil be very heavy, nay, even intollerable to the reſt: Neither are men wont ſo much to grieve at the burthen it ſelf, as at the inequality. With much earneſtnes thetafore men ſtrive to be freed from taxes, & in this conflict the leſſe happy, as being overcome, do envy the more fortunate. To remove therefore all juſt complaint, its the intereſt of the publique quiet, and by conſequence it concernes the duty of the Magiſtrate, to ſee that the publique burthens be equally born. Furthermore, ſince what is brought by the ſubjects to publick uſe, is nothing elſe but the price of their bought Peace, its reaſon good, that they who equally ſhare in the peace, ſhould alſo

pay an equall part either by contributing their Monies, or their labours to the Common-weal; now it is the Law of Nature (by the 15. Article of the 3. Chapter) that every man in distributing right to others, doe carry himself equall to all; wherefore Rulers are by the naturall Law obliged to lay the burthens of the Common-weal equally on their Subjects.

Its naturall equity that Monies be taxt according to what every man spends, not to what he possesseth.

XI. Now in this place we understand an equality, not of Money, but of Burthen, that is to say, an equality of reason between the Burthens, and the Benefits. For although all equally enjoy Peace, yet the benefits springing from thence, are not equall to all; for some get greater possessions, others lesse; and againe, some consume lesse, others more. It may therefore be demanded whether Subjects ought to contribute to the publique, according to the rate of what they gain, or of what they spend, that is to say, whether the persons must be taxt, so as to pay contribution according to their wealth, or the goods themselves, that every man contribute according to what he spends. But if we consider, where Monies are raised according to wealth, there they who have made equall gain, have not equall possessions, becaus that one preserves what he hath got by frugality, another wastes it by luxury, and therefore equally rejoycing in the benefit of Peace, they doe not equally sustaine the Burthens of the Common-weal: and on the other side, where the goods themselves are taxt, there every man, while he spends his private goods, in the very act of consuming them he undiscernably

nably payes part due to the Common-weal, according to, not what he hath, but what by the benefit of the Realm he hath had; it is no more to be doubted, but that the former way of commanding monies is againſt equity, and therefore againſt the duty of Rulers, the latter is agreeable to reaſon, and the exerciſe of their authority.

XII. In the third place, we ſaid that that trouble of minde which riſeth from *ambition* was offenſive to publique Peace. For there are ſome who ſeeming to themſelves to be wiſer then others, and more ſufficient for the managing of affaires then they who at preſent doe govern, when they can no otherwiſe declare how profitable their vertue would prove to the Commonweale, they ſhew it, by harming it; but becauſe ambition and greedineſſe of honours cannot be rooted out of the mindes of men, its not the duty of Rulers to endeavour it; but by conſtant application of rewards, and puniſhments, they may ſo order it, that men may know that the way to honour is, not by contempt of the preſent government, nor by factions, and the popular ayre, but by the contraries. They are good men who obſerve the Decrees, the Lawes and Rights of their Fathers; if with a conſtant order we ſaw theſe adorned with honours, but the factions puniſht, and had in contempt by thoſe who bear command, there would be more ambition to obey, then withſtand; notwithſtanding it ſo happens ſometimes, that as we muſt ſtroke a horſe by reaſon of his too much fierceneſſe, ſo a ſtiffe-neckt ſubject muſt be flatter'd for fear of his power.

It conduces to the preſervation of peace, to depreſſe the ambitious.

er; but as that happens when the rider, ſo this, when the Commander is in danger of falling. But we ſpeak here of thoſe, whoſe authority aund power is intire. Their duty (I ſay) it is to cheriſh obedient ſubjects, and to depreſſe the factious all they can; nor can the publique power be otherwiſe preſerved, nor the ſubjects quiet without it.

And to diſſolve factions.

XIII. But if it be the duty of Princes to reſtrain the factious, much more does it concern them to diſſolve and diſſipate the factions themſelues. Now I call a faction, a multitude of ſubjects gathered together, either by mutuall *contracts* among themſelves, or by the power of ſome one, without his or theirs who bear the ſupreme Rule: A *faction* therefore is as it were a City in a City; for as by an Union of men in the ſtate of nature a City receives its being, ſo by a new union of ſubjects, there ariſeth a *faction.* According to this definition, a multitude of ſubjects who have bound themſelves ſimply to obey any forreign Prince, or Subject, or have made any Pacts, or Leagues of mutuall defence between themſelves againſt all men, not excepting thoſe who have the ſupreme power in the City, is a *faction.* Alſo favour with the vulgar if it be ſo great, that by it an Army may be rais'd, except publique caution be given, either by hoſtages, or ſome other pledges, contains *faction* in it; The ſame may be ſaid of private wealth, if it exceed, becauſe all things obey mony. Foraſmuch therefore as it is true, that the ſtate of Cities among themſelves is naturall, and hoſtile, thoſe Princes who permit factions, doe as much as if they

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received an enemy within their walls, which is contrary to the ſubjects ſafety, and therefore alſo againſt the Law of nature.

XIV. There are two things neceſſary to the enriching of Subjects, *Laobur* and *thrift*; there is alſo a third which helps, to wit the *naturall increaſe of the earth*, and *water*, and there is a fourth too, namely the *Militia*, which ſometimes augments, but more frequently leſſens the ſubjects ſtock. The two firſt are only neceſſary. For a City conſtituted in an Iſland of the Sea, no greater then will ſerve for dwelling, may grow rich without ſowing, or fiſhing, by merchandize, and handicrafts only; but there is no doubt if they have a territory, but they may be richer with the ſame number, or equally rich, being a greater number; but the fourth, namely the *Militia*, was of old reckoned in the number of the gaining Arts, under the notion of *Booting* or *taking prey*; and it was by mankind, (diſperſt by families) before the conſtitution of civill ſocieties, accounted juſt and honourable; for preying, is nothing elſe but a warre waged with ſmall forces; And great Common-weales, namely that of *Rome*, and *Athens*, by the ſpoyles of warre, forraigne tribute, and the territories they have purchaſed by their armes, have ſometimes ſo improved the Common-wealth, that they have not onely not required any publique monies from the poorer ſort of ſubjects, but have alſo divided to each of them both monies and lands. But this kind of increaſe of riches, is not to be brought into rule aud faſhion: For the Militia in order to profit,

Lawes whereby gaining arts are cheriſht, and great expences reſtrained, doe conduce much to the enriching of the ſubject.

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is like a Dye wherewith many loſe their eſtates, but few improve them. Since therefore there are three things only, the *fruits of the earth and water, Labour* and *Thrift*, which are expedient for the enriching of ſubjects, the duty of Commanders in chief, ſhall be converſant onely about thoſe three. For the firſt, thoſe lawes will be uſefull which countenance the arts that improve the increaſe of the earth, and water, ſuch as are *husbandry*, and *fiſhing*. For the ſecond, all Lawes againſt idleneſſe, and ſuch as quicken induſtry, are profitable; the *art of Navigation* (by help whereof the commodities of the whole world, bought almoſt by labour only, are brought into one City) and the *Mechanicks*, (under which I comprehend all the arts of the moſt excellent workmen) and the *Mathematicall ſciences*, the fountains of navigatory and mechanick employments, are held in due eſteem and honour. For the third, thoſe lawes are uſefull, whereby all inordinate expence, as well in meats, as in clothes, and univerſally in all things which are conſumed with uſage, is forbidden. Now becauſe ſuch lawes are beneficiall to the ends above ſpecified, it belongs alſo to the Office of ſupreme Magiſtrates, to eſtabliſh them.

That more ought not to be determined by the Lawes, then the benefit of Prince and Subjects require.

XV. The liberty of ſubjects conſiſts not in being exempt from the Lawes of the City, or that they who have the ſupreme power cannot make what Laws they have a mind to; but becauſe all the motions and actions of ſubjects, are never circumſcribed by Lawes, nor can be, by reaſon of their variety, it is neceſſary that there be infinite caſes,

ſes, which are neither commanded, nor prohibited, but every man may either doe, or not doe them, as he liſts himſelfe. In theſe, each man is ſaid to enjoy his liberty, and in this ſenſe liberty is to be underſtood in this place, namely, for that part of naturall Right, which is granted and left to Subjects by the civill Lawes. As water incloſed on all hands with banks, ſtands ſtill and corrupts; having no bounds, it ſpreds too largely, and the more paſſages it findes, the more freely it takes its current; ſo ſubjects, if they might doe nothing without the commands of the Law would grow dull, and unwildly, if all, they would be diſperſt, and the more is left undetermined by the Lawes, the more liberty they enjoy. Both extremes are faulty, for Lawes were not invented to take away, but to direct mens actions, even as nature ordained the banks, not to ſtay, but to guide the courſe of the ſtreame. The meaſure of this liberty is to be taken from the ſubjects, and the Cities good; wherefore in the firſt place it is againſt the charge of thoſe who command, and have the authority of making lawes, that there ſhould be more lawes then neceſſarily ſerve for good of the Magiſtrate, and his Subjects; for ſince men are wont commonly to debate what to do, or not to do, by naturall reaſon, rather then any knowledge of the Lawes, where there are more Lawes then can eaſily be remembred, and whereby ſuch things are forbidden, as reaſon of it ſelfe prohibites not of neceſſity, they muſt through ignorance, without the leaſt evill iutention, fall within the compaſſe of Lawes, as gins laid to

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entrap their harmeleſſe liberty, which ſupreme Commanders are bound to preſerve for their ſubjects by the Lawes of nature.

That greater puniſhments muſt not be inflicted, then are preſcribed by the Lawes.

XVI. It is a great part of that *liberty* which is harmleſſe to civill government, and neceſſary for each ſubject to live happily, that there be no penalties dreaded, but what they may both foreſee, and look for; and this is done, where there are either no puniſhments at all defined by the Lawes, or greater not required then are defined; where there are none defined, there he that hath firſt broken the Law, expects an indefinite or arbitrary puniſhment, and his feare is ſuppoſed boundleſſe, becauſe it relates to an unbounded evill; now the Law of nature commands them who are not ſubject to any civill Lawes, (by what we have ſaid in the third Chapter, Artic. 11.) and therefore ſupreme Commanders, that in taking revenge and puniſhing, they muſt not ſo much regard the paſt evill, as the future good, and they ſin, if they entertain any other meaſure in arbitrary puniſhment, then the publique benefit; but where the puniſhment is defined, either by a Law preſcribed, as when it is ſet down in plain words, that *he that ſhall doe thus, or thus, ſhall ſuffer ſo and ſo*; or by practice, as when the penalty, (not by any Law preſcribed, but arbitrary from the beginning) is afterward determined by the puniſhment of the firſt delinquent (for naturall equity commands that equall tranſgreſſors be equally puniſhed) there to impoſe a greater penalty then is defined by the Law, is againſt the Law of nature. For the end of puniſhment is not to compell

compell the will of man, but to fashion it, & make it such as he would have it who hath set the penalty. And deliberation is nothing else but a weiging, as it were in scales, the conveniencies, and inconveniencies of the fact we are attempting; where, that which is more weighty, doth necessarily according to its inclination prevaile with us. If therefore the Legislator doth set a lesse penalty on a crime, then will make our feare more considerable with us, then our lust; that excesse of lust above the feare of punishment, whereby sinne is committed, is to be attributed to the Legislator (that is to say) to the supreme, and therefore if he inflict a greater punishment, then himselfe hath determined in his Lawes, he punisheth that in another, which he sinned himselfe.

Subjects must have right restored to them against corrupt Judges

XVII. It pertaines therefore to the harmlesse and necessary *liberty* of subjects, that every man may without feare, enjoy the rights which are allowed him by the Lawes; for it is in vain to have *our own* distinguisht by the Lawes from *anothers*, if by wrong judgement, robbery, theft, they may bee again confounded; but it falls out so, that these doe happen where Judges are corrupted; for the fear whereby men are deterred from doing evill, ariseth not from hence, namely, because penalties are set, but because they are executed; for we esteeme the future by what is past, seldome expecting what seldome happens. If therefore Judges corrupted either by Gifts, Favour, or even by pitty it self, do often forbear the execution of the Penalties due by the Law, and by that meanes

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put wicked men in hope to passe unpunisht: honest Subjects encompast with murtherers, theeves and knaves, will not have the liberty to converse freely with each other, nor scarce to stirre abroad without hazard; nay, the *City* it self is dissolved, and every mans right of protecting himself at his own will returnes to him. The Law of Nature therefore gives this precept to Supreme Commanders, that they not onely doe righteousnesse themselves, but that they also by penalties cause the Judges, by them appointed, to doe the same; that is to say, that they hearken to the complaints of their Subjects; and as oft as need requires, make choice of some extraordinary Judges, who may hear the matter debated concerning the ordinary ones.

Chap. XIV.

Of Lawes and Trespasses.

I. *How Law differs from* Counsell. II. *How from* Covenant. III. *How from* Right. IV. *Division of Lawes into* Divine *and* Humane: *the* Divine *into* Naturall *and* Positive; *and the* Naturall *into the Lawes of* single-men, *and of* Nations. V. *The* Division *of humane*, that is to say, *of* Civil Lawes *into* Sacred *and* Secular. VI. *Into* Distributive *and* Vindicative. VII. *That Distributive,*

butive, and Vindicative, are not ſpecies, but parts of the Lawes. VIII. *All Law is ſuppoſed to have a penalty annext to it.* IX. *The precepts of the Decalogue of honouring Parents, of murther, adultery, theft, falſewitneſſe, are Civill Lawes.* X. *Its impoſſible to command ought by the Civil Law contrary to the Law of Nature.* XI. *Its eſſential to a Law, both that it ſelf, and alſo the Lawgiver be known.* XII. *Whence the* Lawgiver *comes to be known.* XIII. Publiſhing, *and* Interpretation, *are neceſſary to the knowledge of a Law.* XIV. *The Diviſion of the Civill Law into* written, *and* unwritten. XV. *The* Naturall Lawes *are not* written *Lawes; neither are the* wiſe Sentences of Lawyers, *nor* Cuſtome, *Lawes* of themſelves, *but by the conſent of the Supreme Power.* XVI. *What the word* Sinne *moſt largely taken, ſignifies.* XVII. *The definition of* Sin. XVIII. *The difference between a* Sin *of* Infirmity, *and* Malice. XIX. *Under what kind of ſinne* Atheiſme *is contained.* XX. *What* Treaſon *is.* XXI. *That by Treaſon, not the* Civill, *but the*

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Naturall *Lawes are broken.*
XXII. *And that therefore it is to be punisht not by the right of* Dominion, *but by the right of* War.
XXIII. *That obedience is not rightly distinguisht into* active, *and* passive.

How Law differs from Counsell.

I. THey who lesse seriously consider the force of words, doe sometimes confound Law with *Counsell*, sometimes with *Covenant*, sometimes with *Right*. They confound *Law* with *Counsel*, who think, that it is the duty of Monarchs not onely to give ear to their *Counsellours*, but also to obey them, as though it were in vaine to take *Counsell*, unlesse it were also followed. We must fetch the distinction between *Counsel*, and *Law*, from the difference between *Counsell*, and *Command*. Now COUNSELL is a *precept* in which the reason of my obeying it, is taken from *the thing it self* which is advised; but COMMAND is a *precept* in which the cause of my obedience depends on *the will of the Commander*. For it is not properly said, *Thus I will*, and *thus I Command*, except the will stand for a Reason; Now when obedience is yielded to the Lawes, not for the thing it self, but by reason of the advisers will, the Law is not a *Counsell*, but a *Command*, and is defined thus, LAW is the *command of that Person (whether Man, or Court) whose precept containes in it the reason of obedience*; as the Precepts of God in regard of Men, of Magistrates in respect of their Subjects, and uni-

universally of all the powerfull in respect of them who cannot resist, may be termed their Lawes; *Law* and *Counsell* therefore differ many ways; *Law* belongs to him who hath power over them *whom he adviseth*, *Counsell* to them who have no power. To follow what is prescribed by *Law*, is *duty*, what by *Counsell*, is *free-will*. *Counsell* is directed to his end that receives it, *Law*, to his that *gives* it. *Counsell* is given to none but the *willing*, *Law* even to the *unwilling*. To conclude, the right of the *Counsellour* is made void by the will of him to whom he gives *Counsell*, the right of the *Law-giver* is not abrogated at the pleasure of him who hath a *Law* imposed.

How it differs from a Covenant.

II. They confound *Law*, and *Covenant*, who conceive the Lawes to be nothing else but certain ὁμολογήματα, or forms of living, determined by the common consent of men: Amongst whom is *Aristotle*, who defines *Law* on this manner, Νόμος ἐστὶ λόγος ἀνεισμίβος καθ' ὁμολογίαν κοινὴν πόλεως μηνύων πῶς δεῖ πρᾶτειν ἕκαστα, that is to say, *Law is a speech limited according to the common consent of the City, declaring every thing that we ought to doe*; which definition is not simply of *Law*, but of the *Civill* Law; for it is manifest that the *Divine Lawes* sprang not from the consent of men, nor yet the *Lawes of Nature*; for if they had their originall from the consent of men, they might also by the same consent be abrogated; but they are unchangeable. But indeed that's no right definition of a *Civill Law*; for in that place a City is taken either for one civill person, having

one will, or for a multitude of men who have each of them the liberty of their private wills; if for one person, those words, *common consent*, are ill placed here, for one person hath no *common consent*; neither ought he to have said, (*declaring* what was needfull to be done) but *commanding*; for what the City declares, it commands its Subjects. He therefore by a City understood a multitude of men declaring by common consent (imagine it a writing confirm'd by Votes) some certain formes of living; but these are nothing else but some mutuall contracts which oblige not any man (and therefore are no Lawes) before that a Supreme Power being constituted which can compell, have sufficient remedy against the rest, who otherwise are not likely to keep them. Lawes therefore, according to this definition of *Aristotle*, are nothing else, but naked, and weak contracts, which then at length, when there is one who by right doth exercise the Supreme Power, shall either *become Lawes, or no Lawes*, at his will and pleasure: Wherefore he confounds *Contracts* with *Lawes*, which he ought not to have done; for *Contract is a promise, Law a command. In Contracts* we say, *I will do this*; *In Lawes, Doe this.* (*) *Contracts* oblige us, Lawes *tie* us fast, being obliged. A *Contract* obligeth of *it self*, The *Law* holds the party obliged by vertue of the universall *Contract* of yeelding obedience; Therefore in *Contract* its first determined what is to be done, before we are obliged to doe it; But in *Law* we are first obliged to performe, and what is to be done

done, is determined afterwards. *Aristotle* therefore ought to have defined a *civill law* thus, *A civill law is a speech limited by the will of the City, commanding every thing behoofefull to be done*, which is the same with that we have given above in the 6. Chap. art. 9. to wit, *that the civill lawes are the command of him* (whether man, or Court of men) *who is endued with supreme power in the city, concerning the future actions of his Subjects.*

Contracts oblige us.] To be obliged, *and* to be tyed being obliged, *seems to some men to be one, and the same thing, and that therefore here seems to be some distinction in words, but none indeed. More cleerly therefore, I say thus, That a man is obliged by his contracts, that is, that he ought to performe for his promise sake; but that the Law tyes him being obliged, that is to say, it compells him to make good his promise, for fear of the punishment appointed by the Law.* *Annotation*

III. They confound *Lawes* with *Right*, who continue still to doe what is permitted by *divine Right*, notwithstanding it be forbidden by *the civill Law:* That which is prohibited by the *divine Law*, cannot bee permitted by the *civill*, neither can that which is commanded by the *divine Law*, be prohibited *by the civill*, notwithstanding that which is permitted by the divine Right, that is to say, that which may be done by *divine Right*, doth no whit hinder why the same may not be forbidden by the *civill Lawes*; for *inferiour Lawes* may restrain the liberty allowed by the *superiour*, although they cannot enlarge them: now *naturall liberty is a Right* not constituted, but allowed by *How it differs from Right.*

by the Lawes. For the *Lawes* being removed, our *liberty* is abſolute; This is firſt reſtrained by the *naturall*, and *divine Lawes*, the reſidue is bounded by the *civill Law*, and what remains may again be reſtrained by the *conſtitutions* of particular Towns, and Societies; There is great difference therefore between *Law*, and *Right*. For Law is *a fetter*, Right is *freedome*, and they differ like contraries.

The diviſion of lawes into divine and humane, and of the divine into naturall and poſitive, and of the naturall into thoſe lawes of ſingle men, and thoſe of Nations.

IV. All *Law* may be divided, firſt according to the diverſity of its Authors into *Divine* and *humane*, the *Divine*, according to the two wayes whereby God hath made known his will unto men, is twofold, *naturall* (or *morall*) and *poſitive*; *naturall* is that which God hath declared to all men by his *eternall word* borne with them, to wit, their *naturall Reaſon*; and this is that Law which in this whole book I have endeavoured to unfold; *Poſitive* is that, which God hath revealed to us by *the word of Propheſie*, wherein he hath ſpoken unto men as a man: Such are the Lawes which he gave to the *Jewes* concerning their government, and divine worſhip, and they may be termed the *Divine civill Lawes*, becauſe they were peculiar to the civill government of the *Jewes*, his peculiar people. Again, *the naturall Law* may be divided into that of *Men*, which alone hath obtained the title of *the Law of nature*, and *that of Cities*, which may be called *that of Nations*, but vulgarly it is termed the *Right of Nations*. The precepts of both are alike, but becauſe Cities once inſtituted doe put on the perſonall proprieties of men, that *Law*, with ſpeaking of the duty of ſingle men,

men, we call *naturall*, being applyed to whole Cities, and Nations, is called the *Right of Nations*. And the ſame Elements of *naturall law, and Right*, which have hitherto been ſpoken of, being transferred to *whole Cities* and *Nations*, may be taken for the Elements of the *lawes*, and *Right of Nations*.

The diviſion of humane, that is to ſay, civill lawes, into ſecular and ſacred.

V. All *humane Law* is *civill*. For the ſtate of men conſidered out of civill ſociety, is hoſtile, in which, becauſe one is not ſubject to another, there are no other Lawes, beſide the dictates of naturall reaſon, which is the divine Law. But in civill government the City onely, that is to ſay, that man, or Court, to whom the ſupreme power of the City is committed, is the Legiſlator, and the Lawes of the City are civill. *The civill Lawes* may be divided according to the diverſity of their ſubject matter, into *ſacred, or ſecular*; *ſacred* are thoſe which pertain to Religion, that is to ſay, to the ceremonies, and worſhip of God (to wit what Perſons, things, places, are to be conſecrated, and in what faſhion, what opinions concerning the Deity are to be taught publiquely, and with what words, and in what order ſupplications are to be made, and the like) and are not determined by any divine poſitive Law. For the *civill ſacred Lawes* are the *humane* Lawes (which are alſo called *Eccleſiaſticall*) concerning *things ſacred*; but *the ſecular* under a generall notion, are uſually called the *civill* Lawes.

Into diſtributive and vindicative

VI Again, the *civill Law* (according to the two offices of the Legiſlator, whereof one is *to judge*; the other to *conſtrain men*

to acquiesce to his judgements) hath two parts; the one *distributive*, the other *vindicative*, or *penall*. By *the distributive* it is, that every man hath his proper Right, that is to say, it sets forth Rules for all things, whereby we may know what is properly ours, what another mans; so as others may not hinder us from the free use and enjoyment of our own; and we may not interrupt others in the quiet possession of theirs; and what is lawfull for every man to doe or omit, and what is not lawfull. *Vindicative* is that whereby it is defined what punishment shall be inflicted on them who break the Law.

Distributive and vindicative are not two Species of the Lawes.

VII. Now *distributive*, and *vindicative*, are not two severall *Species* of the Lawes, but two *parts* of the same Law. For if the Law should say no more, but (for example) *whatsoever you take with your net in the Sea, be it yours*, its in vain; For although another should take that away from you which you have caught, it hinders not, but that it still remains yours; for in the state of nature where all things are common to all, *yours*, and *others*, are all one, insomuch as what the Law defines to be *yours*, was *yours* even before the Law, and after the Law ceases not to bee *yours*, although in another mans possession. Wherefore the Law doth nothing, unlesse it bee understood to bee so *yours*, as all other men be forbidden to interrupt your free use, and secure enjoyment of it at all times, according to your own will, and pleasure. For this is that which is required to a propriety of goods, not that a man may be able to use them, but to use them alone, which is done by

by prohibiting others to be an hinderance to him. But in vain doe they also prohibit any men, who doe not withall strike a fear of punishment into them; in vain therefore is the Law, unlesse it contain both parts, that which *forbids* iujuries to be done, and that which *punisheth* the doers of them. The first of them which is called *distributive*, is *Prohibitory*, and speaks to all, the second which is styled *vindicative*, or *pœnary*, is *mandatory*, and onely speaks to publique Ministers.

VIII. From hence also we may understand, *that every civill Law hath a penalty annexed to it*, either explicitly, or implicitly; For where the penalty is not defined, neither by any writing, nor by example of any one who hath suffered the punishment of the transgressed Law, there the penalty is understood to be arbitrary, namely, to depend on the will of the Legislator, that is to say, of the supreme Commander. For in vain is that Law which may be broken without punishment.

All Law is supposed to have a Penalty annext to it.

IX. Now because it comes from the civill Lawes, both that every man have *his proper Right*, and distinguisht from *anothers*, and also that he is forbidden to invade anothers Rights, it followes, that these Precepts (*Thou shalt not refuse to give the honour defin'd by the Lawes unto thy Parents: Thou shalt not kill the man whom the Lawes forbid thee to kill: Thou shalt avoid all copulation forbidden by the Laws: Thou shalt not take away anothers goods against the Lords will: Thou shalt not frustrate the Laws and Judgements by false testimony*) are Civill Lawes. The naturall Lawes command the same things but

The Precepts of the Decalogue of honouring Parents, of murther, adultery, theft, false witnesse, are the civill Lawes.

implicitly; for the law of nature (as hath been ſaid in the 3. Chap. Art. 2.) commands us to keep *contracts*, and therefore alſo to performe obedience when we have covenanted obedience, and to abſtaine from anothers goods when it is determin'd by the civill Law what belongs to another; but all Subjects (by the 13. Art. of the 6. Chap.) do *covenant* to obey his commands who hath the ſupreme power, that is to ſay the the civfll Lawes, in the very conſtitution of government, even before it is poſſible to break them; For the Law of nature did oblige in the ſtate of nature, where firſt (becauſe nature hath given all things to all men) nothing did properly belong to another, and therefore it was not poſſible to invade anothers right; next, where all things were common, and therefore all carnall copulations lawfull; Thirdly, where was the ſtate of Warre, and therefore lawfull to kill; Fourthly, where all things were determined by every mans own judgement, and therefore paternall reſpects alſo: Laſtly, where there were no publique judgements, and therefore no uſe of bearing witneſſe, either true, or falſe.

It is not poſſible to command ought by the civill Law, contrary to the Lawes of nature.

X. Seetng therefore our obligation to obſerve thoſe Laws, is more ancient then the promulgation of the Laws themſelves, as being contained in the very eonſt t tion of the City, by the vertue of the naturall Law which forbids breach of Covenant, the Law of nature commands us to keep all the civill Laws; for where we a e tyed to obedience, before we know what will be commanded us, there we are univerſally tyed to

obey

obey in all things; whence it followes, that no civil Law whatsoever, which tends not to a reproach of the Deity (in respect of whom, Cities themselves have no right of their own, and cannot be said to make Lawes) can possibly be against the Law of nature; for though the Law of nature forbid theft, adultery, &c. yet if the civill Law command us to invade any thing, that invasion is not theft, adultery, &c. For when the Lacedemonians of old permitted their youths by a certaine Law, to take away other mens goods, they commanded that these goods should not bee accounted other mens, but their own who took them; and therefore such surreptions were no thefts. In like manner, copulations of heathen Sexes, according to their Lawes, were lawfull marriages.

It is essentiall to a Law, that both it and the Legislator be knowne.

XI. Its necessary to the essence of a Law, that the Subjects be acquainted with two things, First, what man or Court hath the supreme power, that is to say, the Right of making Lawes. Secondly, what the Law it self sayes; for he that neither knew either to whom or what he is tyed to, cannot obey, and by consequence is in such a condition, as if he were not tyed at all. I say not that it is necessary to the essence of a Law, that either one, or the other be perpetually known, but onely that it be once knowne; and if the Subject afterward forget either the Right he hath who made the Law, or the Law it self, that makes him no lesse tyed to obey, since he might have remembred it, had he had a will to obey.

Whence the Legislator is knowne.

XII. *The knowledge of the Legislator* depends

pends on the Subject himselfe; for the right of making Lawes could not be conferr'd on any man without his owne consent, and covenant, either expreſt, or ſuppos'd; expreſt, when from the beginning the Citizens doe themſelves conſtitute a forme of governing the City, or when by promiſe they ſubmit themſelves to the Dominion of any one; or ſuppos'd at leaſt, as when they make uſe of the benefit of the Realme, and Lawes, for their protection and conſervation againſt others; for to whoſe Dominion we require our fellow Subjects to yeeld obedience for our good, his Dominion we acknowledge to be legitimate by that very requeſt; and therefore ignorance of the power of making Lawes, can never be a ſufficient excuſe; for every man knowes what he hath done himſelfe.

Promulgation and interpretation are neceſſary to the knowledge of a Law.

The knowledge of the lawes depends on the Legiſlator, who muſt publiſh them, for otherwiſe they are not Lawes; for Law is the command of the Law-maker, and his command is the Declaration of his Will; it is not therefore a Law, except the will of the Law-maker be declar'd, which is done by *promulgation.* Now in *promulgation* two things muſt be manifeſt, whereof one is, that he or they who publiſh a Law, either have a right themſelves to make Lawes, or that they doe it by authority deriv'd from him or them who have it; the other is the ſenſe of the Law it ſelfe. Now, that the firſt, namely publiſht Lawes proceed from him who hath the ſupreme command, cannot be manifeſt (ſpeaking exactly and philoſophically) to any, but them who have re-

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ceived them from the mouth of the Commander, the reſt beleeve, but the reaſons of their beliefe are ſo many, that it is ſcarce poſſible they ſhould not believe. And truly in a *Democratical* City where every one may be preſent at the making of Laws if he will, he that ſhall be abſent, muſt beleeve thoſe that were preſent; but in *Monarchies* and *Ariſtocraties*, becauſe its granted but to few to be preſent, and openly to heare the commands of the *Monarch* or *the Nobles*, it was neceſſary to beſtow a power on thoſe few of publiſhing them to the reſt; And thus we beleeve thoſe to be the *Edicts* and *Decrees* of Princes, which are propoũded to us for ſuch, either by the writings, or voices of them, whoſe office it is to publiſh them; But yet when we have theſe cauſes of beliefe, that we have ſeen the Prince, or ſupreme Counſell conſtantly uſe ſuch *Counſellors*, *Secretaries*, *publiſhers*, and *ſeales*, and the like arguments for the declaring of his will; that he never took any authority from them; that they have bin puniſht who not giving credit to ſuch like promulgations have tranſgreſt the Law; not onely he who thus believing ſhall not obey the *Edicts* and *Decrees* ſet forth by them is every where accus'd, but he that not believing, ſhall not yield obedience, is puniſht; for the conſtant permiſſion of theſe things is a manifeſt ſigne enough, and evident declaration of the Commanders will; provided there be nothing contain'd in the Law, *Edict* or *Decree*, derogatory from his ſupreme power: For it is not to be imagin'd that he would have ought taken from his power by any of

his Officers as long as he retaines a will to governe. Now the *ſenſe* of the *law*, when there is any doubt made of it, is to be taken from them to whom the ſupreme authority hath committed the *knowledge of cauſes*, or *Judgements*; for to *judge* is nothing elſe then by *interpretation* to apply the *lawes* to particular caſes; now we may know who they are that have this Office granted them, in the ſame manner, as we know who they be that have authority given them to publiſh Laws.

The civill Law divided into written and unwritten.

XIV. Againe the *civill law* according to its two fold manner of publiſhing, is of two ſorts, *written* & *unwritten*; By *written*, I underſtand that which wants a voice, or ſome other ſigne of the will of the Legiſlator that it may become a Law: For all kind of Laws are of the ſame age with mankinde, both in nature, and time, and therefore of more antiquity then the invention of letters, and the Art of writing; wherefore not a *writing*, but a *voice* is neceſſary for a *written law*, this alone is requiſite to *the being*, that to the *Remembrance* of a Law; for we reade, that before letters were found out for the help of memory, that *Lawes* contracted into Meetre, were wont to be ſung. *The unwritten* is that which wants no other publiſhing then the voice of nature, or naturall reaſon, ſuch are the *lawes of nature*. For the naturall Law although it be diſtinguiſht from the civill, for as much as it commands the Will, yet ſo farre forth as it relates to our actions it is civill; for example, this ſame, *Thou ſhalt not covet*, which onely appertaines to the minde, is a naturall Law onely, but this, *Thou ſhalt not invade*, is both

naturall

naturall and civill; for seeing it is impossible to prescribe such universall Rules, whereby all future contentions which perhaps are infinite, may be determined, its to be understood that in all cases not mentioned by the *written lawes*, the *law of naturall equity* is to be followed, which commands us to distribute equally to equals; and this by the vertue of the *civill law*, which also punisheth those who knowingly and willingly doe actually transgresse the *lawes of nature*.

XV. These things being understood, it appeares first, That the *Lawes of Nature*, although they were describ'd in the Books of some Philosophers, are not for that reason to be termed *Written lawes*: and that the Writings of the Interpreters of the Lawes, were no Lawes, for want of the Supreme Authority; nor yet those *orations of the Wise*, (that is to say) *Judges*, but so farre forth as by the consent of the Supreme power they part into custome, and that then they are to be received among *the Written lawes*, not for the Customes sake (which by its own force doth not constitute a Law) but for the Will of the Supreme Commander, which appeares in this, that he hath suffer'd his *Sentence*, whether equall, or unequall, to passe into custome.

That the naturall laws are not written laws, neither are the sentences of lawyers, or custome, laws of themselves, but by the consent of the supreme power.

XVI. *Sinne*, in its largest signification, comprehends every *deed*, *word* and *thought*, against right reason: for every man by reasoning seeks out the meanes to the end which he propounds to himselfe. If therefore he reason right (that is to say, beginning from most evident principles, he

What the word Sin *taken in its largest sense signifies.*

makes a discourse out of consequences continually necessary,) he will proccede in a most direct way; otherwise hee'l goe astray, that is to say, he will either *doe*, *say*, or *endeavour*, somewhat against his proper end, which when he hath done, he will indeed in reasoning be said to have *erred*, but in action and will to have *sinned*, for *sin* followes *errour*, just as the *Will* doth the *understanding*: And this is the most generall acception of the word, under which is contain'd every *imprudent* action, whether against the Law, as to overthrow another mans house, or not against the Law, as to build his owne upon the Sand.

The definition of Sin.

XVII. But when we speak of *the Lawes*, the word *Sinne* is taken in a more strict sense, and signifies not every thing done against right reason, but that onely which is *blameable*, and therefore is call'd *malum culpæ*, the evill of fault; but yet if any thing be culpable it is not presently to be term'd *a sinne*, or *fault*, but onely if it be blameable with reason. We must therefore enquire what is to be *blameable with reason*, what against reason. Such is the nature of man, that every one calls that *good* which he desires, and *evill* which he eschewes; and therefore through the diversity of our affections, it happens that one counts that *good*, which another counts *evill*; and the same man what now he esteem'd for *good*, he immediately looks on as *evill*; and the same thing which he calls *good* in himselfe, he tearmes *evill* in another; for we all measure *good* and *evill* by the pleasure or paine we either feele at present, or expect hereafter

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ter; Now ſeeing the proſperous actions of enemies (becauſe they increaſe their honours, goods, and power) and of equalls, (by reaſon of that ſtrife of honours which is among them) both ſeeme and are *irkeſome*, and therefore *evill* to all; and men uſe to repute thoſe *evill*, that is to ſay, to *lay ſome fault* to their charge from whom they receive *evill*; its impoſſible to be determined by the conſent of ſingle men whom the ſame things doe not pleaſe and diſpleaſe, what actions are, and what not to be blam'd. They may agree indeed in ſome certaine generall things, as that *theft*, *adultery*, and the like are *ſinnes*, as if they ſhould ſay that all men account thoſe things *evill* to which they have given names which are uſually taken in an *evill* ſenſe; but we demand not whether theft be a Sinne, but what is to be term'd theft, and ſo concerning other in like manner. For as much therefore as in ſo great a diverſity of cenſurers, what is by reaſon blameable, is not to bee meaſur'd by the reaſon of one man more then another, becauſe of the equality of humane nature, and there are no other reaſons in being, but onely thoſe of *particular men*, and that of the *City*, it followes, that the *City* is to determine what *with reaſon is culpable*: ſo as a *fault*, that is to ſay, a *SINNE*, is that, which a man do's, omits, ſayes, or wills, againſt the reaſon of *the City*, that is, contrary to the Lawes.

The difference betweene a ſinne of infirmitie and malice.

XVIII. But a man may doe ſomewhat againſt the Lawes through humane infirmity, although he deſire to fulfill them, and yet his action as being againſt the Lawes, is

is rightly blam'd, and call'd *a Sinne*: But there are ſome, *who neglect* the Lawes, and as oft as any hope of gain and impunity doth appear to them, no conſcience of contracts and betrothed faith can withhold them from their violation. Not only the deeds, but even the mindes of theſe men are againſt the Lawes. They who ſinne onely through infirmity, are *good men* even when they ſinne; but theſe even when they doe not ſin, are *wicked*; for though both the action, and the mind be repugnant to the Lawes, yet thoſe repugnancies are diſtinguiſht by different appellations, for the irregularity of the action is called ἀδίκημα, *unjuſt deed*; that of the mind ἀδικία, and κακία, *injuſtice*, and *malice*; that is, the *infirmity* of a diſturbed ſoule, this the *pravity* of a ſober mind.

Under what kind of ſin Atheiſme is contained.

XIX. But ſeeing there is no ſin which is not againſt ſome Law, and that there is no Law which is not the command of him who hath the ſupreme power, and that no man hath a ſupreme power which is not beſtowed on him by our own conſent; in what manner will he be ſaid to ſinne, who either denies that there is a God, or that he governs the world, or caſts any other reproach upon him? for he will ſay, *that he never ſubmitted his will to Gods will, not conceiving him ſo much as to have any being. And granting that his opinion were erroneous, and therefore alſo a ſin, yet were it to be numbred among thoſe of imprudence or ignorance, which by right cannot be puniſhed.* This ſpeech ſeems ſo farre forth to be admitted, that though this kind of ſin be the greateſt and

moſt

most hurtful, yet is it to be refer'd(*) to sins of imprudence; but that it should be excused by imprudence or ignorance, is absurd. For the Atheist is punisht either immediately by God himselfe, or by Kings constituted under God; not as a Subject is punished by a King, because he keeps not the Lawes, but as one enemy by another, because he would not accept of the Lawes; that is to say, by the Right of warre, as the Giants warring against God: For whosoever are not subject either to some common Lord, or one to another, are enemies among themselves.

(Yet is it to be referred to sins of imprudence) *Many find fault that I have referr'd Atheisme to imprudence, and not to injustice; yea by some it is taken so, as if I had not declared my selfe an enemy bitter enough against Atheists: They object farther, that since I had elsewhere said that it might be knowne* there is a God, *by naturall reason, I ought to have acknowledged that they sin at least against the Law of nature, and therefore not only guilty of imprudence, but injustice too; but I am so much an enemy to Atheists, that I have both diligently sought for, and vehemently desired to find some Law whereby I might condemne them of injustice; but when I found none, I enquired next what name God himselfe did give to men so detested by him. Now God speaks thus of the Atheist:* The fool hath said in his heart, there is no God. *Wherefore I placed their sinne in that rank which God himselfe referres to; next, I shew them to be enemies of God. But I conceive the name of an enemy to be sometimes somewhat sharper, then that of an unjust man. Lastly, I affirme that they may under that notion* Annotation.

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tion be justly punisht both by God, and supreme Magistrates, and therefore by no meanes excuse or extenuate this sinne. Now that I have said that it might be known by naturall reason that there is a God, *is so to be understood, not as if I had meant that all men might know this, except they think that because* Archimedes *by naturall reason found out what proportion the circle hath to the square, it followes thence, that every one of the vulgar could have found out as much. I say therefore, that although it may be knowne to some by the light of reason that there is a God, yet men that are continually engaged in pleasures, or seeking of riches and honour, also men that are not wont to reason aright, or cannot do it, or care not to doe it, lastly, fools, in which number are Atheists, cannot know this.*

What the sinne of Treason is.

XX. Seeing that from the vertue of the Covenant whereby each Subject is tyed to the other to perform absolute and universall obedience (such as is defined above Chap. 6. art. 13.) to the City, that is to say, to the Soveraign power, whether that be one man or Councel, there is an obligation derived to observe each one of the civill Laws, so that that Covenant contains in it self all the Laws at once; it is manifest that the subject who shall renounce the generall Covenant of obedience, doth at once renounce all the Lawes; which trespasse is so much worse then any other one sinne, by how much to sinne *alwayes*, is worse then to sinne *once*; And this is that sin which is called *TREASON*; and it is a word or deed whereby the Citizen, or Subject, declares that he will no longer obey that man or Court to whom the supreme power of the City is entrusted,

truſted, and the Subject declares this ſame will of his by deed, when he either doth, or endeavours to do violence to the Soveraigns Perſon, or to them who execute his commands, of which ſort are Traytors, Regicides, and ſuch as take up armes againſt the City, or during a warre, flye to the enemies ſide; and they ſhew the ſame will in word, who flatly deny that themſelves or other ſubjects are tyed to any ſuch kind of obedience, either in the whole, as he who ſhould ſay that wee muſt not obey him (keeping the obedience which we owe to God intire) ſimply, abſolutely, and univerſally; or in part, as he who ſhould ſay, that he had no Right to wage warre at his own will, to make Peace, liſt ſouldiers, levie monies, electing Magiſtrates, and publique Miniſters, enacting Lawes, deciding controverſies, ſetting penalties, or doing ought elſe, without which the State cannot ſtand, and theſe and the like words and deeds are Treaſon by the naturall, not the civill Law. But it may ſo happen, that ſome action which before the civill Law was made, was not Treaſon, yet will become ſuch, if it be done afterwards. As if it be declared by the Law, that it ſhall be accounted for a ſign of renouncing publique obedience (that is to ſay for Treaſon) if any man ſhall coyn monies, or forge the Privie Seale, he that after that Declaration ſhall doe this, will be no leſſe guilty of Treaſon then the other, yet he ſinnes leſſe, becauſe he breakes not all the Laws at once, but one Law only; for the Law by calling that Treaſon which by nature is not ſo, doth indeed by Right ſet a more odi-

ous name, and perhaps a more grievous punishment on the guilty persons, but it makes not the sinne it selfe more grievous.

Treason breaks not the civill, but the naturall Law.

XXI. But that sinne which by the Law of nature is Treason, is a Transgression of the naturall, not the civill Law, for since our obligation to civill obedience, by vertue whereof the civill Lawes are valid, is before all civill Law; and the sin of Treason is naturally nothing else but the breach of that obligation; it followes that by the sin of Treason, that Law is broken which preceded the civill Law, to wit, the naturall, which forbids us to violate Covenants, and betrothed faith. But if some Soveraign Prince should set forth a Law on this manner, *Thou shalt not rebell*, he would effect just nothing: For except Subjects were before obliged to obedience, that is to say, not to rebell, all Law is of no force; now the obligation which obligetto what we were before obliged to, is superfluous.

And therefore is punisht not by the Right of Soveraigny, but by the Right of Warre.

XXII. Hence it followes, that *Rebels, Traytors*, and all *others convicted of Treason*, are punisht not by *civill*, but *naturall* Right, that is to say, not as *civill Subjects*, but as *Enemies to the Government*, not by the *Right of Soveraigny*, and Dominion, but by the *Right of Warre*.

Obedience not rightly distinguisht into Active and Passive.

XXIII. There are some who think that those acts which are done against the Law, when the punishment is determined by the Law it selfe, are expiated, if the punished willingly undergoe the punishment; and that they are not guilty before God of breaking the naturall Law (although by breaking the civill Lawes, we break the naturall

turall too, which command us to keep the civill) who have ſuffered the puniſhment which the Law required, as if by the Law, the fact were not prohibited, but a puniſhment were ſet inſtead of a price, whereby a licence might be bought of doing what the Law forbids; by the ſame reaſon they might inferre too, that no tranſgreſſion of the Law were a ſin, but that every man might enjoy the liberty which he hath bought by his own perill. But we muſt know that the words of the Law may be underſtood in a twofold ſenſe, the one as containing two parts (as hath been declared above in the ſeventh Art.) namely, that of abſolutely prohibiting, as, *Thou ſhalt not doe this*; and revenging, as, *he that doth this, ſhall be puniſht*; The other, as containing a condition, for example, *Thou ſhalt not doe this thing, unleſſe thou wilt ſuffer puniſhment*; and thus, the Law forbids not ſimply, but conditionally. If it be underſtood in the firſt ſenſe, he that doth it, ſins, becauſe he doth what the Law forbids to be done, if in the ſecond, he ſins not, becauſe he cannot be ſaid to doe what is forbidden him, that performs the condition; For in the firſt ſenſe, all men are forbidden to doe it; in the ſecond, they only who keep themſelves from the puniſhment. In the firſt ſenſe, the vindicative part of the Law obligeth not the guilty, but the Magiſtrate to require puniſhment; in the ſecond, he himſelfe that owes the puniſhment is obliged to exact it, to the payment whereof, if it be capitall, or otherwiſe grievous, he cannot be obliged. But in what ſenſe the Law is to be taken, depends on the will of him

who

who hath the Soveraignry. When there is therefore any doubt of the meaning of the Law, since we are sure they sinne not who doe it not, it will be sin if we doe it, howsoever the Law may afterward be explained; for so to doe that which a man doubts whether it be a sin or not, when he hath freedome to forbear it, is a contempt of the Lawes, and therefore by the 28. Art. of the third Chapter, a sin against the Law of nature. Vain therefore is that same distinction of *obedience* into *Active* and *Passive*, as if that could be expiated by penalties constituted by humane decrees, which is a sinne against the Law of nature, which is the Law of God; or as though they sinned not, who sinne at their own perill.

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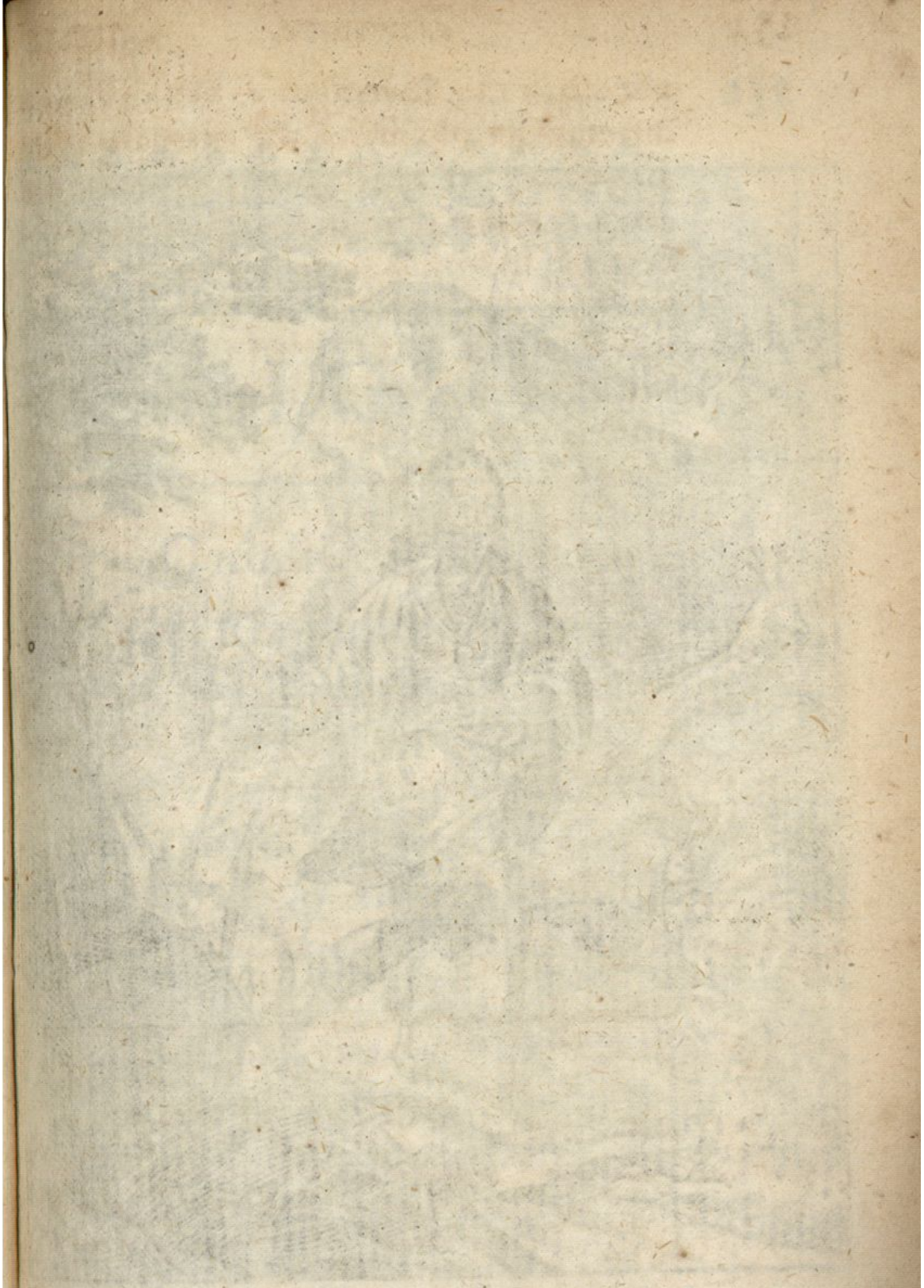

Integer vitæ ſceleriſque purus
Non eget Mauri jaculis nec areu,
Nec venenatis gravida ſagittis
Fuſce pharetra.
Sive per Syrtes iter æſtuoſas,
Sive facturus per inhoſpitalem
Caucaſum, vel quæ loca fabuloſus
Lambit Hidaſpis.

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CHAP. XV.

Of the Kingdome of God, by Nature.

I. *The Propoſition of the following contents.* II. *Over whom God is ſaid to rule by nature.* III. *The Word of God three-fold;* Reaſon, Revelation, Propheſie. IV. *The Kingdome of God two-fold;* Naturall, *and* Prophetique. V. *The Right whereby God reigns, is ſeated in his* omnipotence. VI. *The ſame proved from Scripture.* VII. *The obligation of yeelding obedience to God, proceeds from humane infirmity.* VIII. *The Lawes of God in his naturall Kingdome, are thoſe which are recited above in the* 2. *and* 3. *Chapter.* IX. *What* Honour *and* Worſhip *is.* X. Worſhip *conſiſts either in* attributes, *or in* actions.

XI. *And*

XI *And there is one sort* naturall, *another* arbitrary. XII. *One* commanded, *another* voluntary. XIII. *What the* end, *or scope of Worship is.* XIV. *What the naturall Laws are, concerning Gods* attributes. XV. *What the* actions *are, whereby naturally wee doe give* worship. XVI. *In Gods naturall Kingdome, the City may appoint what* worship of God *it pleaseth.* XVII. *God ruling by nature only, the* City, *that is to say, that man or Court who under God hath the soveraign authority of the City, is the* Interpreter of all the Lawes. XVIII. *Certaine doubts removed.* XIX. *What* Sin *is in the naturall Kingdom of God; and what* Treason against the divine Majesty.

The Proposition of the following contents

I. WEE have already in the foregoing Chapters, proved both by reason, and testimonies of holy Writ, that the estate of nature, that is to say, of absolute liberty, such as is theirs, who neither govern, nor are governed, is an Anarchy, or hostile state; that the precepts whereby to avoyd this state, are *the Lawes of nature*; that there can be no

civill

civill government without a Soveraigne; and that they who have gotten this Soveraigne command muſt be obey'd ſimply, that is to ſay, in all things which repugne not the Commandments of God: There is this one thing only wanting to the complete undeſtanding of all civill duty, & that is, to know which are the Laws and Commandments of God; for elſe we cannot tell whether that which the civill power commands us, be againſt the Lawes of God, or not; whence it muſt neceſſarily happen, that either by too much obedience to the civill authority, we become ſtubborne againſt the divine Majeſty; or for feare of ſinning againſt God, we runne into diſobeditnce againſt the civill power: To avoid both theſe rocks, its neceſſary to know the Divine Lawes; now becauſe the knowledge of the Lawes, depends on the knowledge of the Kingdome, we muſt in what follows, ſpeak ſomewhat concerning the *Kingdome of God.*

Over whom God is ſaid to raign.

II. *The Lord is King, the earth may be glad thereof*, ſaith the Pſalmiſt, *Pſal.97.v.1.* And againe the ſame Pſalmiſt, *Pſal.99.v.1. The Lord is King, be the People never ſo unpatient, he ſitteth betweene the* Cherubins, *be the Earth never ſo unquiet*, to wit, whether men will, or not, God is *THE* King over all the Earth, nor is he mov'd from his Throne, if there be any who deny either his *exiſtence*, or his *providence*. Now although God governe all men ſo by his power, that none can doe any thing which he would not have done, yet this, to ſpeake properly, and accurately, is not to reigne,

for

for he is sayed to reigne, who rules not by *acting*, but *speaking*, that is to say, by *precepts* and *threatnings*; And therefore we account not inanimate, nor irrationall bodies, for Subjects in the Kingdome of God, although they be subordinate to the Divine power; because they *understand not the commands*, and *threats* of God; nor yet the *Atheists*, because they beleeve not that there is a God, nor yet those who beleeving there is a God; doe not yet beleeeve that he rules these Inferiour things; for even these, although they be govern'd by the power of God, yet doe they not acknowledge any of his *Commands*, nor stand in awe of his threats. Those onely therefore are suppos'd to belong to Gods Kingdome, who acknowledge him to be the Governour of all things, and that he hath *given his Commands* to men, and *appointed punishments* for the transgressours; The rest, we must not call Subjects, but Enemies of God.

The word of God three fold, Reason, Revelation, Prophesy.

III. But none are said to governe by *commands*, but they who openly declare them to those who are govern'd by them, for the *Commands* of the Rulers are the *Lawes* of the Rul'd, but *lawes* they are not, if not perspicuously publisht, in so much as all excuse of Ignorance may be taken away. Men indeed publish their Lawes by *word* or *voice*, neither can they make their will universally knowne any other way; But Gods *lawes* are declar'd after a threefold manner: first, *by the tacit dictates of Right reason*, next, by *immediate revelation*, which is suppos'd to be done either by *a supernaturall voice*, or by a *vision* or *dreame*, or divine

vine *inspiration*: Thirdly, by the *voice of one man* whom God recommends to the rest, as worthy of beliefe, by the working of true miracles; Now he whose voice God thus makes use of to signifie his will unto others, is called a *PROPHET*. These three manners may be term'd the threefold *word of God*, to wit the *Rationall word*, the *sensible word*, and *the word of Prophecy*: To which answer, the three manners whereby we are said to heare God, *Right reasoning*, *sense*, and *faith*. Gods *sensible word* hath come but to few; neither hath God spoken to men by Revelation except particularly to some, and to diverse diversely; neither have any Lawes of his Kingdome beene publisht on this manner unto any people.

The Kingdome of God twofold: Naturall and Prophetique.

IV. And according to the difference which is between the *Rationall word* and the *word of Prophecy*, we attribute a twofold Kingdome unto God: *Naturall*, in which he reignes by the dictates of right reason, and which is universall over all who acknowledge the Divine power, by reason of that rationall nature which is common to all; and *Propheticall*, in which he rules also by the *word of Prophecy*, which is peculiar, because he hath not given positive Lawes to all men, but to his peculiar people, and some certaine men elected by him.

The Right whereby God governs is seated in his own power.

V. God in his *naturall Kingdome* hath a Right to rule, and to punish those who break his Lawes, from his sole *irresistable power*; for all Right over others is either from *nature*, or from *Contract*. How the Right of governing springs from *Contract*, we have already shewed in the 6. Chapter.

And the ſame Right is derived from *nature*, in this very thing, that it is not by nature taken away; for when by nature all men had a Right over all things, every man had a Right of ruling over all as ancient as nature it ſelfe; but the reaſon why this was aboliſht among men, was no other but mutuall fear, as hath been declared above in the ſecond Chapter, the 3. art. reaſon namely dictating that they muſt foregoe that Right for the preſervation of mankinde, becauſe the equality of men among themſelves according to their ſtrength and naturall powers was neceſſarily accompanied with warre, and with warre joynes the deſtruction of mankinde. Now if any man had ſo farre exceeded the reſt in power, that all of them with joyned forces could not have reſiſted him, there had been no cauſe why he ſhould part with that Right which nature had given him; The Right therefore of Dominion over all the reſt, would have remained with him, by reaſon of that exceſſe of power whereby he could have preſerved both himſelfe and them. They therefore whoſe power cannot be reſiſted, and by conſequence God *Almighty*, derives his Right of Soveraignty from the *power* it ſelfe. And as oft as God puniſheth, or ſlayes a ſinner, although he therefore puniſh him becauſe he ſinned, yet may we not ſay that he could not juſtly have puniſht or killed him although he had not ſinned. Neither, if the will of God in puniſhing, may perhaps have regard to ſome ſin antecedent, doth it therefore follow, that the Right of afflicting, and killing, depends not on *divine power*, but on *mens ſins*.

VI. That

VI. That queſtion made famous by the diſputations of the Antients, *why evill things befell the good, and good things the evill*, is the ſame with this of ours, *by what Right God diſpenſeth good and evill things unto men*, and with its difficulty, it not only ſtaggers the faith of the vulgar concerning the divine providence, but alſo of Philoſophers, and which is more, even of holy men. *Pſal.* 73. v. 1, 2, 3. *Truly God is good to Iſrael, even to ſuch as are of a clean heart; but as for me, my feet were almoſt gone, my ſteps had well nigh ſlipt. And why? I was grieved at the wicked, I doe alſo ſee the ungodly in ſuch proſperity.* And how bitterly did *Job* expoſtulate with God, that being *juſt*, he ſhould yet be afflicted with ſo many calamities? God himſelfe with open voyce reſolved this difficulty in the caſe of *Job*, and hath confirmed his Right by arguments drawn not from *Jobs* ſinne, but from his own power. For *Job* and his friends had argued ſo among themſelves, that they would needs make him guilty, becauſe he was puniſht; and he would reprove their accuſation by arguments fetcht from his own innocence: But God when he had heard both him and them, refutes his expoſtulation, not by condemning him of injuſtice, or any ſin, but by declaring his own power, *Job.* 38. v. 4. *Where waſt thou* (ſayes he) *when I laid the foundation of the earth*, &c. And for his friends, God pronounces himſelf angry againſt them, *Job.* 42. v. 7. *Becauſe they had not ſpoken of him the thing that is right, like his ſervant* Job. Agreeable to this is that ſpeech of our Saviours in the mans caſe who was born blind,

The ſame proved from Scripture.

when, his Disciples asking him whether he or his Parents had sinned, that he was born blind, he answered, *John* 9. v. 3. *Neither hath this man sinned, nor his Parents, but that the works of God should be manifest in him*; for though it be said, Rom. 5. 12. *That death entred into the world by sinne*, it followes not, but that God by his Right might have made men subject to diseases, and death, although they had never sinned, even as he hath made the other animalls mortall, and sickly, although they cannot sinne.

The obligation of yeelding obedience unto God, proceeds from humane infirmity.

VII. Now if God have the Right of Soveraignty from his power, it is manifest, that the *obligation* of yeelding him obedience lyes on men by reason of their *weakness; for that *obligation* which rises from Contract, of which we have spoken in the second Chapter, can have no place here, where the Right of Ruling (no Covenant passing between) rises only from nature. But there are two Species of *naturall obligation*, one when liberty is taken away by corporall impediments, according to which we say that heaven and earth, and all Creatures, doe obey the common Lawes of their Creation: The other when it is taken away by hope, or fear, according to which the weaker despairing of his own power to resist, cannot but yeeld to the stronger. From this last kinde of obligation, that is to say from fear, or conscience of our own weakness (in respect of the divine power) it comes to passe, that we are obliged to obey God in his naturall Kingdome; reason dictating to all, acknowledging the divine power and providence, *that there is*

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no kicking against the pricks.

(By reason of their weakneſſe) *If this ſhall ſeem hard to any man, I deſire him with a ſilent thought to conſider, if there were two Omnipotents, whether were bound to obey; I beleeve he will confeſſe that neither is bound: if this be true, then it is alſo true what I have ſet down, that men are ſubject unto God becauſe they are not omnipotent. And truly our Saviour admoniſhing* Paul (*who at that time was an enemy to the Church*) *that he ſhould not kick againſt the pricks, ſeems to require obedience from him for this cauſe, becauſe he had not power enough to reſiſt.* *Annotation*

VIII. Becauſe the *word of God* ruling by nature onely, is ſuppoſed to be nothing elſe but right reaſon, and the Laws of Kings can be known by their *word* only, its manifeſt that the Laws of God ruling by nature alone, are onely the *naturall Lawes*, namely thoſe which we have ſet down in the ſecond and third Chapters, and deduced from the dictates of reaſon, *Humility, Equity, Juſtice Mercy*, and other *Morall vertues* befriending *Peace*, which pertain to the diſcharge of the duties of men one toward the other, and thoſe which right reaſon ſhall dictate beſides, concerning the honour and worſhip of the Divine Majeſty. We need not repeat what thoſe *Naturall Laws*, or *Morall vertues* are, but we muſt ſee what honours, and what divine worſhip, that is to ſay, what *ſacred Lawes*, the ſame *naturall reaſon* doth dictate. *The Lawes of God in his naturall Kingdome, are thoſe which are above ſet down in the ſecond and third Chapters.*

IX. Honour, to ſpeak properly, is nothing elſe but an opinion of anothers *power* joyned with *goodneſſe*, and to *honour* a man, *What honour and worſhip are.*

is the ſame with highly eſteeming him, and ſo honour is not in the Party *honoured*, but in the *honourer*; now three Paſſions do neceſſary follow *honour* thus placed in opinion; *Love*, which referres to *goodneſſe*; *hope*, and *feare*, which regard *power*. And from theſe ariſe all outward actions, wherewith the powerfull are appeaſed, and become Propitious, and which are the effects, and therefore alſo the naturall ſignes of honour it ſelfe. But the word *honour* is transferred alſo to thoſe outward effects of *honour*, in which ſenſe, we are ſaid to *honour* him, of whoſe power we teſtifie our ſelves, either in word, or deed, to have a very great reſpect; inſomuch as *honour* is the ſame with *worſhip*. Now *WORSHIP* is an outward act, the ſign of inward honour; and whom we endeavour by our homage to appeaſe, if they be angry, or howſoever to make them favourable to us, we are ſaid to *worſhip*.

Worſhip conſiſts either in attributes, or in actions.

X. All ſignes of the mind are either *words* or *deeds*, and therefore all *worſhip* conſiſts either in *words* or *deeds*; now both the one and the other are referred to three kindes; whereof the firſt is *Praiſe*, or *publique declaration of goodneſſe*; The ſecond, a *publique declaration of preſent power*, which is to *magnify* μεγαλυνσις; The third, is a *publique declaration of happineſſe*, or of *power*, *ſecure alſo for the future*, which is called μακαρισμὸς. I ſay, that all kindes of honour may be diſcerned, not in *words* only, but in *deeds* too; but we then *praiſe*, and celebrate in *words*, when we doe it by way of Propoſition, or *Dogmatically*, that is to ſay by *Attributes*, or *Titles*, which may be termed prayſing, and celebrating

brating, *categorically*, and *plainly*, as when we declare him whom we honour to be *liberall*, *ſtrong*, *wiſe*; And then, in *deeds*, when it is done by *conſequence*, or by *hypotheſis*, or ſuppoſition, as by *Thanksgiving*, which ſuppoſeth *goodneſſe*; or by *Obedience*, which ſuppoſeth *power*; or by *Congratulation*, which ſuppoſeth happineſſe.

XI. Now whether we deſire to praiſe a man in *words*, or *deeds*, we ſhall find ſome things which ſignify honour with all men, ſuch as among *attributes*, are the generall words of *vertues* and *powers*, which cannot be taken in ill ſenſe, As *Good*, *Faire*, *Strong*, *Juſt*, and the like; and among *actions*, *Obedience*, *Thanksgiving*, *Prayers*, and others of that kinde, by which an acknowledgement of vertue and power is ever underſtood: Others, which ſignify honour, but with ſome, and ſcorne with others, or elſe neither; ſuch as in *Attributes*, are thoſe words which according to the diverſity of opinions, are diverſly referred to vertues or vices, to honeſt or diſhoneſt things; As that a man ſlew his enemy, that he fled, that he is a Philoſopher, or an Orator, and the like, which with ſome are had in honour, with others in contempt. In *deeds*, ſuch as depend on the cuſtome of the place, or preſcriptions of civill Lawes, as in ſaluting to be bareheaded, to put off the ſhoes, to bend the body; to petition for any thing ſtanding, proſtrate, kneeling, forms of ceremony, and the like. Now that *worſhip* which is alwayes, and by all men accounted honourable, may be called *Naturall*, the other, which followes places, and cuſtomes, *Arbitrary*.

And there is one ſort naturall, and another arbitrary.

One commanded, another voluntary.

XII. Furthermore, *worship* may be enjoyned, to wit by the *command* of him that is worshiped, and it may bee *voluntary*, namely such as seems good to the worshipper: If it be *enjoyned*, the actions expressing it, do not signify honour, as they signify actions, but as they are *enjoyned*: for they signify *obedience* immediately, *obedience power*; insomuch as *worship enjoyned* consists in obedience; *voluntary* is honourable onely in the nature of the actions, which if they doe signify honour to the beholders, it is *worship*, if not, it is *Reproach*. Again *worship* may be either *publique* or *private*, but *publique*, respecting each single worshipper, may not be *voluntary*, respecting the City it may; for seeing that which is done voluntarily, depends on the will of the Doer, there would not one worship be given, but as many worships as worshippers, except the will of all men were united by the command, of one; but *Private* worship may be *voluntary*, if it be done secretly, for what is done openly is restrained, either by Lawes, or through modesty, which is contrary to the nature of a *voluntary* action.

What the end or aim of worship is.

XIII. Now that we may know what the *scope* and *end* of *worshipping* others is, we must consider the cause why men delight in worship: And we must grant what we have shewed elsewhere, that *Joy* consists in this, that a man contemplate vertue, strength, science, beauty, friends, or any *power* whatsoever, as being, or as though it were his own, and it is nothing else but a *Glory*, or Triumph of the mind conceiving it selfe honoured, that is to say, lov'd and fear'd,

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that is to say, having the services and assistances of men in readineſſe. Now becauſe men beleeve him to be powerfull whom they ſee honoured (that is to say) eſteemed powerfull by others, it falls out that honour is increaſed by worſhip, and by the opinion of power, true power is acquired; His *end* therefore who either commands, or ſuffers himſelf to be worſhipt, is, that by this meaus he may acquire as many as he can, either through love, or fear, to be obedient unto him.

XIV. But that we may underſtand what manner of *Worſhip* of God *naturall reaſon* doth aſſigne us, let us begin from his *Attributes*: where, firſt it is manifeſt, that *exiſtence* is to allowed him; for there can be no will to honour him, who, we think, hath no being. Next, thoſe Philoſophers who ſaid, that God was the World, or the worlds Soul, (that is to ſay, a part of it) ſpake unworthily of God, for they attribute nothing to him, but wholly deny his being. For by the word *God* we underſtand the *Worlds cauſe*; but in ſaying that the *World is God*, they ſay, *that it hath no cauſe*, that is as much, as *there is no God*. In like manner, they who maintain the world not to be created, but eternall; becauſe there can be no cauſe of an eternall thing, In denying *the world to have a Cauſe*, they deny alſo *that there is a God*. They alſo have a wretched apprehenſion of God, who imputing idleneſſe to him, doe take from him the Government of the world, and of mankind; for ſay they ſhould acknowledge him omnipotent, yet if he minde not theſe inferiour things, that ſame thred bare Sen-

What the naturall Lawes are concerning Gods attributes.

tence will take place with them, *Quod supra nos, nihil ad nos*; What is above us, doth not concern us; and seeing there is nothing for which they should either love, or fear him, truly he will be to them as though he were not at all. Moreover in *Attributes* which signifie *Greatnesse*, or *Power*, those which signifie some finite, or limited thing, are not signes at all of an honouring mind: for we honour not God worthily if we ascribe lesse *power*, or *greatnesse* to him then possible we can; but every finite thing is lesse then we can, for most easily we may alwayes assigne and attribute more to a finite thing; No *shape* therefore must be assigned to God, for all *shape* is *finite*; nor must he be said to be conceived, or comprehended by imagination, or any other faculty of our soul; for whatsoever we conceive is *finite*: And although this word *Infinite* signifie a conception of the mind, yet it followes not, that we have any conception of an *infinite thing*: For when we say that a thing is *infinite*, we signifie nothing really, but the impotency in our owne mind, as if we should say we know not whether, or where it is limited: Neither speak they honourably enough of God, who say we have an *Idea* of him in our mind; for an Idea is our conception, but conception we have none, except of a *finite* thing: Nor they, who say that he hath *Parts*, or that he is some certaine *intire* thing, which are also attributes of *finite* things: Nor that he is in any place; for nothing can be said to be in a *place*, but what hath *bounds* and limits of its greatnesse on

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all ſides: Nor that he is *moved*, or *is at reſt*; for either of them ſuppoſe a *being in ſome place*: Nor that there are more Gods, becauſe not more infinites. Farthermore concerning *attributes of happineſſe*, thoſe are unworthy of God which ſignify *ſorrow* (unleſſe they be taken not for any Paſſion, but by a Metonomy for the effect) ſuch as *Repentance*, *anger*, *Pity*: Or *Want*, as *Appetite*, *Hope*, *Concupiſcence*, and that *love* which is alſo called *luſt*, for they are ſignes of *Poverty*, ſince it cannot be underſtood, that a man ſhould *deſire*, *hope*, and *wiſh* for ought, but what he *wants* and *ſtands in need of*: Or *any Paſſive faculty*; for *ſuffering* belongs to a limited power, and which depends upon another. When we therefore attribute a *will* to God, it is not to be conceived like unto ours, which is called *a rationall deſire*; for if God *deſires*, he *wants*, which for any man to ſay, is a contumelie; but we muſt ſuppoſe ſome reſemblance which we cannot conceive. In like manner when wee attribute *ſight* and other *acts of the ſenſes* to him, or *knowledge*, or *underſtanding*, which in us are nothing elſe but a tumult of the minde raiſed from outward objects preſſing the Organes, wee muſt not think that any ſuch thing befalls the Deity; for it is a ſigne of power *depending* upon ſome other, which is not the moſt bleſſed thing. He therefore who would not aſcribe any other titles to God, then what reaſon commands, muſt uſe ſuch as are either *Negative*, as *infinite*, *eternall*, *incomprehenſible*, &c. or *ſuperlative*, as *moſt good*, *moſt great*, *moſt powerfull*, &c. or *Indefinite*, as *good*, *juſt*, *ſtrong*, *Creatour*,

tour, *King*, and the like, in such sense, as not desiring to declare what he is (which were to circumscribe him within the narrow limits of our phantasie) but to confesse his own admiration, and obedience, which is the property of humility, and of a minde yeelding all the honour it possibly can doe. For Reason dictates one name alone, which doth signify the *nature* of God (*i.e.*) *Existent*, or simply, *that he is*; and one in *order* to, and in *relation* to us, namely *God*, under which is contained both *King*, and *Lord*, and *Father*.

What those actions are, whereby naturally we do give worship.

XV. Concerning the *outward actions* wherewith God is to be worshipped (as also concerning his *Titles*) its a most generall command of Reason, that they be signes of a mind yeelding honour; under which are contained in the first place, *Prayers*.

Qui fingit sacros auro, vel marmore vultus,
Non facit ille Deos, qui rogat, ille facit.

For *Prayers* are the signes of hope, and hope is an acknowledgement of the divine *power*, or *goodnesse*.

In the second place, *Thansgiving*; which is a signe of the same affection, but that *prayers goe before* the benefit, and *thanks follow it*.

In the third, *Guifts*, that is to say *oblations* and *sacrifices*, for these are *thanksgivings*.

In the fourth, *not to sweare by any other*; For a mans Oath is an Imprecation of his wrath against him if he deceive, who both knowes whether he doe, or not, and can punish him if he doe, though he be never so powerfull; which only belongs to God: for if there were any man from whom his subjects *malice* could not lye hid, and whom

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no humane power could reſiſt, plighted faith would ſuffice without ſwearing, which, broken, might be puniſht by that Man; and for this very reaſon there would be no need of an Oath.

In the fifth place, *To ſpeak warily of God*; for that is a ſign of *fear*, and *feare* is an acknowledgement of *power*. It followes from this precept: *That we may not take the name of God in vain, or uſe it raſhly*; for either are inconſiderate. *That wee muſt not ſwear where there is no need*; for that is in vain; but need there is none, unleſſe it be between Cities to avoyd or take away contention by force, which neceſſarily muſt ariſe, where there is no faith kept in promiſes, or in a City, for the better certainty of Judicature. Alſo, *That we muſt not diſpute of the Divine nature*: For it is ſuppoſed *that all things in the naturall Kingdom of God are enquired into by reaſon only*, that is to ſay, out of the Principles of naturall Science; but we are ſo far off by theſe to attain to the knowledge of the nature of God, that we cannot ſo much as reach to the full underſtanding of all the qualities of our own bodies, or of any other Creatures. Wherefore there comes nothing from theſe diſputes, but a raſh impoſition of names to the divine Majeſty, according to the ſmall meaſure of our conceptions. It followes alſo (which belongs to the Right of Gods Kingdome) that their ſpeech is inconſiderate, and raſh, who ſay, *That this, or that, doth not ſtand with divine juſtice*; for even men count it an affront that their children ſhould diſpute their Right, or meaſure their juſtice otherwiſe then by

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the rule of their Commands.

In the sixth. *Whatsoever is offered up in prayers, thanksgivings, and sacrifices, must in its kind be the best, and most betokening honour;* namely, *Prayers* must not be rash, or light, or vulgar, but beautifull, and well composed.

For though it were absurd in the Heathen to worship God in an image, yet was it not against reason to use Poetry, and Musick, in their Churches.

Also *Oblations must be clean, and Presents sumptuous,* and such as are significative either of submission, or gratitude, or commemorative of benefits received; for all these proceed from a desire of honouring.

In the seventh. *That God must be worshipt not privately onely, but openly, and publiquely in the sight of all men;* because that worship is so much more acceptable, by how much it begets honour, and esteem in others (as hath been declared before in the 13. art.) unless others therefore see it, that which is most pleasing in our worship, vanisheth.

In the last place. *That we use our best endeavour to keep the Lawes of Nature.* For the undervaluing of our Masters command, exceeds all other affronts whatsoever; as on the other side, Obedience is more acceptable then all other sacrifices. And these are principally the naturall Lawes concerning the worship of God, those I mean which Reason dictates to every Man; but to whole Cities, every one whereof is one Person, the same naturall Reason farther commands an *uniformity of publique worship.* For the actions done by particular Persons, according to their private Reasons, are not the Cities

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actions, and therefore not the Cities worſhip; but what is done by the City, is underſtood to be done by the command of of him, or them who have the Soveraignty, wherefore alſo together with the conſent of all the ſubjects, that is to ſay, *Uniformly.*

XVI. The *naturall Lawes* ſet down in the foregoing Article concerning the divine worſhip, only command the giving of naturall ſignes of honour; but we muſt conſider that there are two kindes of ſignes, the one *naturall*, the other done upon *agreement*, or by expreſſe, or tacite compoſition. Now becauſe in every language, the uſe of *words*, and *names*, come by appointment, it may alſo by appointment be altered; for that which depends on, and derives its force from the will of men, can by the will of the ſame men agreeing be changed again, or aboliſht. Such *names* therefore as are *attributed* to God by the appointment of men, can by the ſame appointment be taken away; now what can be done by the appointment of men, that the City may doe; The City therefore by Right (that is to ſay, they who have the power of the whole City) ſhall judge what *names* or *appellations* are more, what leſſe *honourable* for God, that is ſay, what doctrines are to be held and profeſt concerning the nature of God, and his operations. Now actions doe ſignify not by mens appointment, but naturally, even as the effects are ſignes of their cauſes, whereof ſome are alwayes ſignes of ſcorn to them before whom they are committed, as thoſe, whereby the bodies uncleanneſſe is diſcovered, and whatſoever men are aſhamed to

In the naturall kingdom of God the City may appoint what worſhip it pleaſeth.

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doe before those whom they respect; Others are alwayes signes of honour, as to draw near, and discourse decently and humbly, to give way, or to yeeld in any matter of private benefit: In these actions the City can alter nothing, but there are infinite others, which, as much as belongs to honour, or reproach, are indifferent; now these, by the institution of the City, may both be made signes of honour, and being made so, doe in very deed become so. From whence we may understand, that we must obey the City in whatsoever it shall command to be used for a sign of honouring God, that is to say, for *Worship*; provided it can be instituted for a sign of honour, because that is a sign of honour, which by the Cities command is us'd for such.

God ruling by nature only, the City, that is say, that man or Court which under God hath the Soveraignty, is the Interpreter of all the Lawes.

XVII. We have already declared which were the Laws of God, as wel sacred as secular, in his government by the way of Nature onely. Now because there is no man but may be deceived in reasoning, and that it so falls out, that men are of different opinions concerning the most actions, it may be demanded farther, whom God would have to be the *Interpreter of right Reason*, that is to say, of his Lawes. And as for the *Secular Lawes*, I mean those which concern justice, and the carriage of men towards men, by what hath been said before of the constitution of a City, we have demonstratively shewed it agreeable to reason, that all *Judicature* belongs to the City, and that *Judicature* is nothing else but an *Interpretation of the Laws*, and by consequence, that everywhere Cities, that is to say, those who have

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the Soveraign power, are the *Interpreters of the Lawes*; As for the *Sacred Lawes*, we muſt conſider what hath been before demonſtrated in the fifth Chap. the 13. art. that every Subject hath transferr'd as much right as he could on him, or them, who had the ſupreme authority; but he could have transferred his right of judging the manner how God is to be honoured, and therefore alſo he hath done it; That he could, it appeares hence, that the manner of honouring God before the conſtitution of a City was to be fetcht from every mans *private Reaſon*; but every man can ſubject his *private Reaſon to the Reaſon of the whole City*: Moreover, if each Man ſhould follow his own reaſon in the *worſhipping* of God, in ſo great a diverſity of worſhippers, one would be apt to judge anothers worſhip uncomely, or impious; neither would the one ſeem to the other to honour God: Even that therefore which were moſt conſonant to reaſon, would not be a *worſhip*, becauſe that the nature of *worſhip* conſiſts in this, that it be the *ſign of inward honour*; but there is no ſign but whereby ſomewhat becomes known to others, and therefore is there no ſign of honour but what ſeems ſo to others; Again, that's a true ſign which by the conſent of men becomes a ſign, therefore alſo that is honourable, which by the conſent of men, that is to ſay, by the command of the City, becomes a ſign of honour. It is not therefore againſt the will of God, declared by the way of reaſon onely, to give him ſuch ſigns of honour as the City ſhall command; wherefore Subjects can transferre their

Right

Right of judging the manner of Gods worſhip on him or them who have the Soveraign power; nay, they muſt doe it, for elſe all manner of abſurd opinions, concerning the nature of God, and all ridiculous ceremonies which have been uſed by any Nations, will bee ſeen at once in the ſame City, whence it will fall out, that every man will beleeve that all the reſt doe offer God an affront; ſo that it cannot be truly ſaid of any that he worſhips God; for no man worſhips God, that is to ſay, honours him outwardly, but he who doth thoſe things, whereby hee appeares to others for to honour him. It may therefore bee concluded, that the *Interpretation* of all Lawes, as well *Sacred*, as *Secular*, (God ruling by the way of *nature* only) depends on the authority of the City, that is to ſay, that man, or councell, to whom the Soveraign power is committed, and that whatſoever God commands, he commands by his voyce. And on the other ſide, that whatſoever is commanded by them, both concerning the manner of honouring God, and concerning ſecular affaires, is commanded by God himſelfe.

Certain doubts removed.

XVIII. Againſt this, ſome Man may demand, firſt, Whether it doth not follow, that the City muſt be obeyed if it command us directly to affront God, or forbid us to worſhip him? I ſay, it does not follow, neither muſt we obey; for to affront, or not to worſhip at all, cannot by any Man be underſtood for a manner of worſhipping; neither alſo had any one, before the conſtitution of a City, of thoſe who acknowledge God to rule, a Right to deny

him

him the honour which was then due unto him; nor could he therefore rransfer a Right on the City of commanding any ſuch things. Next, if it be demanded whether the City muſt be obeyed if it command ſomewhat to be ſaid, or done, which is not a diſgrace to God directly, but from whence by reaſoning diſgracefull conſequences may be derived: as for example, if it were commanded to worſhip God in an image, before thoſe who account that honourable? Truly it is to be (*) done. For Worſhip is inſtituted in ſigne of Honour, but to Worſhip him thus, is a ſigne of honour, and increaſeth Gods Honour among thoſe who do ſo account of it; Or if it be commanded to call God by a name which we know not what it ſignifies, or how it can agree with this word, *God*? That alſo muſt be done; for what we do for Honours ſake, (and we know no better) if it be taken for a ſigne of Honour, it is a ſigne of Honour, and therefore if we refuſe to doe it, we refuſe the enlarging of Gods Honour. The ſame judgement muſt be had of all the *Attributes* and *Actions* about the meerly rationall Worſhip of God which may be controverted, and diſputed; for though theſe kind of commands may be ſometimes contrary to right reaſon, and therefore ſins in them who command them, yet are they not againſt right reaſon, nor ſins in Subjects, whoſe right reaſon in points of Controverſie is that, which ſubmits its ſelfe to the reaſon of the City. Laſtly, if that Man, or Councell, who hath the Supreme Power, command himſelfe to

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be Worſhipt with the ſame *Attributes*, and *Actions*, wherewith God is to be Worſhipt, the queſtion is, whether we muſt obey? There are many things which may be commonly attributed both to God, and Men; for even Men may be *Praiſed*, and *Magnified*; and there are many actions whereby God, and Men, may be Worſhipt; But the ſignifications of the *Attributes*, and *Actions*, are onely to be regarded: Thoſe *Attributes* therefore, whereby we ſignify our ſelves to be of an opinion, that there is any man endued with a Soveraignty independent from God, or that he is immortall, or of infinite power, and the like, though commanded by Princes, yet muſt they be abſtained from; as alſo from thoſe *Actions* ſignifying the ſame, as Prayer to the abſent; to aske thoſe things which God alone can give, as Rain, and Fair weather; to offer him what God can onely accept, as Oblations, Holocauſts; or to give a Worſhip, then which a greater cannot be given, as Sacrifice; for theſe things ſeeme to tend to this end, that God may not be thought to rule, contrary to what was ſuppoſed from the beginning; but genuflection, proſtration, or any other act of the body whatſoever, may be lawfully uſed even in civill Worſhip; for they may ſignifie an acknowledgment of the civill power onely; for Divine Worſhip is diſtinguiſht from civill, not by the motion, placing, habit, or geſture of the Body, but by the declaration of our opinion of him whom we doe Worſhip; as if we caſt down our ſelves before any man, with intention of declaring by

that

that Signe that we esteeme him as God, it is Divine Worship; if we doe the same thing as a Signe of our acknowledgment of the civill Power, it is civill Worship. Neither is the *Divine Worship* distinguished from *Civill* by any action usually understood by by the words λατρεία and δουλεία, whereof the former marking out the *Duty* of Servants, the latter their *Destiny*, they are words of the same action in degree.

Annotation

Truly it is to be done] *We said in the 14. Article of this Chapter, That they who attributed limits to God, transgrest the naturall Law concerning Gods Worship; now they who worship him in an Image, assigne him limits, wherefore they doe that which they ought not to doe, and this place seemes to contradict the former. We must therefore know first, that they who are constrained by Authority, doe not set God any boonds, but they who command them; for they who worship unwillingly, doe worship in very deed, but they either stand or fall there, where they are commanded to stand or fall by a lawfull Soveraign; Secondly, I say it must be done, not at all times, and every where, but on supposition that there is no other rule of worshipping God beside the dictates of humane reason; for then the will of the City stands for Reason: but in the Kingdome of God by way of Covenant, whether old, or new, where idolatry is expressely forbid, though the City commands us to worship thus, yet must we not do it; which, if he shall consider, who conceived some repugnancy between this, and the 14. Article, will surely cease to think so any longer.*

What is sin in the naturall Kingdom of God, and what Treason against the divine Majesty.

XIX. From what hath been said may be gathered, that God reigning by the way of

naturall

naturall reaſon onely, Subjects doe ſinne, Firſt, if they break the morall Laws, which are unfolded in the ſecond and third Chapters. Secondly, if they break the Lawes, or commands of the City in thoſe things which pertain to Juſtice. Thirdly, if they worſhip not God, *κατὰ τὰ νόμικα.* Fourthly, if they confeſſe not before men, both in words, and deeds, that there is one God moſt good, moſt great, moſt bleſſed, the Supreme King of the World, and of all worldly Kings, that is to ſay, if they doe not worſhip God. This fourth ſinne in the naturall Kingdome of God, by what hath been ſaid in the foregoing Chapter, in the ſecond Article, is the *ſinne of Treaſon againſt the Divine Majeſty*; for it is a denying of the Divine Power, or *Atheiſme*; for ſinnes proceed here, juſt as if we ſhould ſuppoſe ſome man to be the Soveraign King, who being himſelfe abſent, ſhould rule by his Vice-Roy, againſt whom ſure they would tranſgreſſe who ſhould not obey his Vice-Roy in all things, except he uſurpt the Kingdome to himſelf, or would give it to ſome other, but they who ſhould ſo abſolutely obey him, as not to admit of this exception, might be ſaid to be guilty of Treaſon.

CHAP.

CHAP. XVI.
Of the Kingdome of God under the Old Covenant.

I. *Superstition possessing Forrain Nations, God instituted the true Religion by the means of* Abraham. II. *By the Covenant between* God *and* Adam, *all dispute is forbidden concerning the Commands of Superiours.* III. *The manner of the Covenant between God and* Abraham. IV. *In that Covenant is contained an acknowledgement of God, not simply, but of him who appeared unto* Abraham. V. *The Lawes unto which* Abraham *was tyed, were no other beside those of* Nature, *and the Law of Circumcision.* VI. Abraham *was the Interpreter of the* Word of God, *and of* all Lawes *among those that belonged to him.* VII. Abrahams *subjects could not sinne by obeying him.* VIII. Gods *Covenant with the* Hebrews *at Mount* Sinai. IX. *From thence Gods Government took the name of a Kingdome.*

X. *What*

X. *What Lawes were by God given to the Jewes.* XI. *What the* Word of God *is, and how to be known.* XII. *What was held the* written Word of God *among the Jewes.* XIII. The power of interpreting the Word of God, *and the supreme* civill power *were united in* Moises *while he lived.* XIV. *They were also united in the* High Priest, *during the life of* Joshuah. XV. *They were united too in the* High Priest *untill* King Sauls *time.* XVI. *They were also united in the* Kings *untill the captivity.* XVII. *They were so in the* High Priests *after the captivity.* XVIII. *Deniall of the Divine Providence, and Idolatry, were the onely* Treasons against the Divine Majesty *among* the Jewes, *in all things else they ought to obey their Princes.*

Superstition possessing foraign Nations, God Instituted the true Religion by the means of Abraham.

I. MAnkind, from conscience of its own weakness, and admiration of naturall events, hath this, that most men beleeve God to be the invisible Maker of all invisible things, whom they also fear, conceiving that they have not a sufficient protection in themselves; but the imperfect use they had of their Reason, the violence of

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their Paſſions did ſo clowd them, that they could not rightly worſhip him. Now the fear of inviſible things, when it is ſever'd from right reaſon is ſuperſtition. It was therefore almoſt impoſſible for men without the the ſpeciall aſſiſtance of God to avoyd both Rocks of *Atheiſme* and *Superſtition*: for this proceeds from fear without right reaſon, that, from an *opinion of right reaſon*, without feare.

Idolatry therefore did eaſily faſten upon the greateſt part of men, and almoſt all nations did worſhip God in *Images*, and *reſemblances* of finite things; and they worſhipt ſpirits, or vain viſions, perhaps out of fear calling them Devills. But it pleaſed the Divine Majeſty (as we read it written in the ſacred hiſtory) out of all mankind to call forth *Abraham*, by whoſe means he might bring men to the true worſhip of him, and to reveal himſelfe ſupernaturally to him, and to make that moſt famous Covenant with him and his ſeed, which is called the *old Covenant*, or *Teſtament*; He therefore is the head of true Religion; he was the firſt that *after the Deluge taught, that there was one God, the Creatour of the Univerſe*; And from him the *Kingdome of God by way of Covenants*, takes its beginning. *Joſeph. Antiq. Jewes. lib.* 1. *cap.* 7.

By the Covenant between God, and Adam, *all diſpute is forbidden concerning the commands of ſuperiors*

II. In the beginning of the world God reigned indeed, not onely naturally, but alſo *by way of Covenant*, over *Adam*, and *Eve*, ſo as it ſeems he would have no obedience yeelded to him, beſide that which naturall Reaſon ſhould dictate; but *by the way of Covenant*, that is to ſay, by the conſent of men

themſelves. Now becauſe this *Covenant* was preſently made void, nor ever after renewed, the originall of Gods *Kingdom* (which we treat of in this place) is not to be taken thence. Yet this is to be noted by the way, that by that precept of not eating of the tree of *the knowledge of good and evill* (whether the judicature of good and evill, or the eating of the fruit of ſome tree were forbidden) God did require a moſt ſimple obedience to his commands, without diſpute whether that were *good*, or *evill*, which was commanded; for the fruit of the tree, if the Command be wanting, hath nothing in its own nature, whereby the eating of it could be morally *evill*, that is to ſay, *a ſinne*.

The manner of the Covenant between God and Abraham.

III. Now the Covenant between *God* and *Abraham*, was made in this manner. *Gen.* 17. v. 7, 8. *I will eſtabliſh my Covenant between me and thee, and thy ſeed after thee in their generations, for an everlaſting Covenant, to be a God unto thee, and to thy ſeed after thee. And I will give unto thee, and to thy ſeed after thee, the Land wherein thou art a ſtranger, all the Land of Canaan, for an everlaſting poſſeſſion, and I will be their God.* Now it was neceſſary to inſtitute ſome ſign whereby *Abraham* and his ſeed ſhould retain the memory of this Covenant; wherefore *Circumciſion* was added to the Covenant, but yet as a ſign onely. *verſ.* 20. *This is my Covenant which yee ſhall keep between me and thee, and thy ſeed after thee, every man-child among you ſhall be circumciſed, and ye ſhall circumciſe the fleſh of your foreskin, and it ſhall be a token of the Covenant between me and you.* It is therefore Covenanted, that *Abraham* ſhall acknowledge

God

God to be his God, and the God of his seed, that is to say, that he shall submit himselfe to be governed by him, and that God shall give unto *Abraham* the inheritance of that Land wherein he then dwelt, but as a Pilgrim, and that *Abraham* for a memoriall sign of this Covenant, should take care to see himselfe, and his male seed *circumcised*.

IV. But seeing that *Abraham* even before the Covenant acknowledged God to be the Creatour and King of the world, (for he never doubted either of the *being*, or the *Providence* of God) how comes it not to be superfluous, that God would purchase to himself with a price, and by *contract*, an obedience which was due to him by nature, namely by promising *Abraham* the Land of *Canaan*, upon condition that he would receive him for his God, when by the Right of nature he was already so? By those words therefore, To be a *God unto thee and to thy seed after thee*, wee understand not that *Abraham* satisfied this *Covenant* by a bare acknowledgement of the power, and Dominion which God had naturally over men, that is to say, by acknowledging God indefinitely, which belongs to *naturall reason*, but he must definitely acknowledge him, who said unto him, *Gen.* 12. v. 34. *Get thee out of thy Country*, &c. *Gen.* 13. v. 14. *Lift up thine eyes.* &c. who appear'd unto him, *Gen.* 18. v. 1. in the shape of three celestiall men, and *Gen.* 15. v. 1. In a *vision*; and *vers.* 13. In a *dream*, which *is matter of faith.* In what shape God appeared unto *Abraham*, by what kinde of sound he spake to him, is not

In that Covenant is contained an acknowledgement of God, not simply, but of him who appeared unto Abraham.

expreſt, yet it is plain that *Abraham* beleeved that voyce to be the voyce of God, and a true Revelation; and would have all his to worſhip him, who had ſo ſpoken unto him, for God the Creatour of the world, and that his faith was grounded on this, not that he beleeved *God to have a being*, or *that he was true* in his promiſes, that which all men beleeve, but that he doubted not him to be God, whoſe voice, and promiſes he had heard, and that the *God* of *Abraham* ſignified not ſimply *God*, but *that God which appeared unto him*, even as the worſhip which *Abraham* owed unto God in that notion, was not the worſhip of *reaſon*, but of *Religion*, and *Faith*, and that, which not reaſon, but God had *ſupernaturally* revealed.

The Lawes to which Abraham was tyed, were no other, but thoſe of nature, and that of Circumciſion.

V. But we read of no Lawes given by God to *Abraham*, or by *Abraham* to his family, either then, or after, ſecular, or ſacred (excepting the Commandement of *Circumciſion*, which is contained in the *Covenant* it ſelfe) whence it is manifeſt, that there were no other Lawes, or worſhip, which *Abraham* was obliged to, but the Lawes of nature, rationall worſhip, and circumciſion.

Abraham among his own was the Interpreter of the word of God, and of all Lawes.

VI. Now *Abraham* was the *Interpreter* of all *Lawes*, as well ſacred as ſecular, among thoſe that belonged to him, not meerly naturally, as uſing the Lawes of nature onely, but even by the form of the Covenant it ſelfe, in which obedience is promiſed by *Abraham* not for himſelfe onely, but for his ſeed alſo; *which* had been in vain, except his children had been tyed to obey his Commands: And how can that be underſtood, which God ſayes *Gen.* 18. verſ. 18. 19. (*All*

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the Nations of the earth ſhall be bleſſed in him; for I know him, that he will command his children, and his houſhold after him, and they ſhall keep the way of the Lord to doe juſtice, and judgement) unleſſe his children and his houſhold were ſuppoſed to be obliged to yeeld obedience unto his Commands.

VII. Hence it followes, that *Abrahams* ſubjects could not ſinne in obeying him, provided that *Abraham* commanded them not, to deny Gods *Exiſtence*, or *Providence*, or to doe ſomewhat expreſly contrary to the honour of God. In all other things, *the word of God* was to be fetcht from his lips only, as being the Interpreter of all the *Lawes*, and *words* of God. For *Abraham* alone could teach them who was the God of *Abraham*, and in what manner he was to be worſhipped. And they who after *Abrahams* death were ſubject to the Soveraignty of *Iſaac* or *Iacob*, did by the ſame reaſon obey them in all things without ſin, as long as they acknowledged, and profeſt *the God* of *Abraham* to be their God; for they had ſubmitted themſelves *to God* ſimply, before they did it to *Abraham*, and to *Abraham* before they did it to the God of *Abraham*; againe, to the God of *Abraham* before they did it to *Iſaac*: In *Abrahams* ſubjects therefore, To deny God was *the only Treaſon againſt the Divine Majeſty*, but in their poſterity it was alſo Treaſon *to deny the God* of *Abraham*, that is to ſay, to worſhip God otherwiſe then was inſtituted by *Abraham*, to wit, in Images (*) made with hands, as other Nations did, which for that reaſon were called *Idolators*.

Abrahams *ſubjects could not ſin in obeying him.*

tors. And hitherto ſubjects might eaſily enough diſcern what was to be obſerved, what avoyded in the Commands of their Princes.

Annotation [In Images made with hands] *In the* 15. *Chap.* 14. *Article, There wee have ſhewed ſuch a kinde of worſhip to be irrationall; but if it be done by the command of a City to whom the written word of God is not known, nor received, we have then ſhewed this worſhip in the* 15. *Chap. art.* 18. *to be rationall. But where God reigns by way of Covenant, in which it is expreſly warned not to worſhip thus, as in the Covenant made with* Abraham, *there, whether it be with, or without the Command of the City, it is ill done.*

Gods Covenant with the Hebrewes at Mount Sinai. VIII. To goe on now, following the guidance of the holy Scripture, The ſame *Covenant* was renewed, *Gen.* 26. verſ. 3, 4. with *Iſaac*, and *Gen.* 28. verſ. 14. with *Iacob*, where *God* ſtiles himſelfe not ſimply *God*, whom nature doth dictate him to be, but diſtinctly the *God* of *Abraham* and *Iſaac*, afterward being about to renew the ſame *Covenant*, by *Moyſes*, with the whole People of Iſrael, *Exod.* 3. v. 6. *I am* ſaith he *the God of thy Father, the God of* Abraham, *the God of* Iſaac, *and the God of* Jacob. Afterward when that People, not only the freeſt, but alſo the greateſt enemy to humane ſubjection, by reaſon of the freſh memory of their Ægyptian bondage, abode in the wilderneſſe near mount *Sinai*, that *antient Covenant* was propounded to them all to be renewed in this manner, *Exod.* 19. ver. 5. *Therefore if yee will obey my voice indeed, and keep my Covenant*, (to wit, that Covenant which was made with *Abraham*, *Iſaac*,

and

and *Iacob*) *then ſhall yee be a peculiar Treaſure unto me, above all People; for all the earth is mine, and yee ſhall be to me a Kingdome of Prieſts, and an holy Nation. And all the People anſwered together, and ſaid, All that the Lord hath ſpoken, will we doe*, verſ. 8.

IX. In this Covenant, among other things, we muſt conſider well the appellation of *Kingdom* not uſed before; for although God both by *nature* & by *Covenant* made with *Abraham*, was their King, yet owed they him an obedience and worſhip only naturall, as being his ſubjects; & religious ſuch as *Abraham* inſtituted, as being the Subjects of *Abraham*, *Iſaac*, & *Iacob*, their naturall *Princes*; For they had received no *word of God* beſide the naturall word of right reaſon, neither had any *Covenant* paſt between God and them, otherwiſe then as their wils were included in the will of *Abraham*, as their *Prince*; But now by the Covenant made at mount *Sinai*, the conſent of each man being had, there becomes an *inſtitutive Kingdome of God* over them. That *Kingdom of God* ſo renowned in Scriptures and writings of Divines, took its beginning from this time, and hither tends that which God ſaid to *Samuel*, when the Iſraelites asked a King, 1. *Sam.* 8. 7. *They have not rejected thee, but they have rejected me, that I ſhould not reign over them*; and that which *Samuel* told the Iſraelites, 1. Sam. 12. 12. *Yee ſaid unto me, nay, but a King ſhall reign over us, when the Lord your God was your King*, and that which is ſaid, *Jer.* 31. verſ. 31. *I will make a new Covenant*, &c. Although I was an husband unto them; And the doctrine alſo of *Judas Galilæus*,

From thence Gods government was called a Kingdom.

where mention is made in *Ioseph. Antiq. of the Iewes*, 18. *Book*, 2. *Chap.* in these words. *But* Judas Galilæus *was the first authour of this fourth way of those who followed the study of wisdome. These agree in all the rest with the* Pharisees, *excepting that they burn with a most constant desire of liberty, beleeving God alone to be held for their Lord and Prince, and will sooner endure even the most exquisite kinds of torments, together with their kinsfolks, and dearest friends, then call any mortall man their Lord.*

What lawes were by God given to the Jewes.

X. The Right of the Kingdome being thus constituted by way of *Covenant*, let us see in the next place, what *lawes* God propounded to them; now those are knowne to all, to wit, the *Decalogue*, and those other, as well *judiciall as ceremoniall lawes*, which we find from the 20. *Chap.* of *Exodus* to the end of *Deuteronomie*, and the death of *Moyses*. Now of those *lawes* deliver'd in generall by the hand of *Moyses*, some there are which oblige *naturally*, being made by *God*, as the *God of nature*, and had their force ever before *Abrahams* time; others there are which oblige by vertue of the *Covenant* made with *Abraham*, being made by *God* as the *God* of *Abraham*, which had their force even before *Moyses* his time, by reason of the former *Covenant*; but there are *others* which oblige by vertue of that Covenant onely which was made last with the people themselves, being made by *God*, as being *the Peculiar* King of the *Israelites*. Of the first sort are all the Precepts of the *Decalogue* which pertaine unto manners, such as, *Honour thy Parents, thou shalt not Kill, thou shalt not commit Adultery, thou shalt not Steale,*

steale, thou ſhalt not beare falſe witneſſe, thou ſhalt not Covet; For they are the Lawes of nature; Alſo the precept of not taking *Gods name in vaine*, for it is a part of naturall worſhip, as hath beene declar'd in the foregoing Chap. Art. 15. In like manner the ſecond Commandement of not worſhipping by way of any Image made by themſelves; for this alſo is a part of naturall Religion, as hath beene ſhewed in the ſame Article. Of the ſecond ſort is the firſt Commandment of the Decalogue, *Of not having any other Gods*; for in that conſiſts the eſſence of the *Covenant* made with *Abraham*, by which God requires nothing elſe, but that he ſhould be his God, and the God of his ſeede: Alſo the Precept of *keeping holy the Sabbath*; for the Sanctification of the ſeventh day is inſtituted in memoriall of the ſix dayes Creation, as appeares out of theſe words, *Exod.* 31. *ver.* 16, 17. *It is a perpetuall Covenant*, (meaning *the Sabbath*) *and a ſigne betweene me, and the Children* of Iſrael *for ever, for in ſixe dayes the Lord made Heaven, and Earth, and on the ſeventh day he reſted, and was refreſhed.* Of the third kind are the *Politique, judiciall and Ceremoniall lawes*, which onely belong'd to the *Jewes*. The *lawes* of the firſt and ſecond ſort written in *Tables of ſtone*, to wit the *Decalogue*, was kept in the *Ark* it ſelfe. The reſt written in the *volume* of the whole Law, were laid up in *the ſide of the Arke. Deut.* 3. *ver.* 26. For theſe retaining the faith of *Abraham* might be chang'd, thoſe could not.

XI. All Gods *Lawes* are *Gods Word*;

What the word of God is, and how to be knowne.

but all *Gods Word* is not his *Law*. *I am the Lord thy God which brought thee out of the Land of Ægypt*, is the word of God, it is no Law: Neither is all that which for the better declaring of *Gods Word* is pronounc't, or written together with it, instantly to be taken for *Gods Word*: For, *Thus saith the Lord*, is not the voice of God, but of the Preacher or Prophet; All that, and onely that, is the word of God which a true Prophet hath declar'd God to have spoken. Now the writings of the Prophets comprehendng as well those things which God, as which the Prophet himselfe speaks, are therefore called the word of God, because they containe the word of God. Now becauſe all that, and that alone, is the *Word of God* which is recommended to us for such, by a true Prophet, it cannot be knowne what *Gods Word* is, before we know who is the true Prophet; nor can we beleeve *Gods Word*, before we beleeve the Prophet. *Moyses* was beleev'd by the People of *Israel* for two things, His *Miracles*, and his *Faith*; for how great, and most evident Miracles soever he had wrought, yet would they not have trusted him, at least he was not to have beene trusted, if he had call'd them out of *Ægypt* to any other worship then the worship of the God of *Abraham*, *Isaac*, and *Jacob* their Fathers. For it had beene contrary to the *Covenant* made by themselves with God. In like manner two things there are, to wit, *supernaturall Prædiction of things to come*, which is a mighty miracle, and *Faith in the God of* Abraham *their deliverer out of Ægypt*, which God

pro-

propos'd to all the *Jews* to be kept for marks of a true Prophet. He that wants either of these is no Prophet, nor is it to be receiv'd for Gods word which he obtrudes for such. If Faith be wanting, he is reject-in these words; *Deut.* 13. *ver.* 1, 2, 3, 4, 5. *If there arise among you a Prophet, or a dreamer of dreams, and giveth thee a signe, or a wonder, and the signe or the wonder come to passe, whereof he spake unto thee, saying, Let us goe after other Gods, &c.* That Prophet, or that dreamer of dreames shall be put to death. If Prædiction of events be wanting, he is condemn'd by these, *Deut.* 18. *ver.* 21, 22. *And if thou say in thine heart, how shall we know the word which the Lord hath not spoken? When a Prophet speaketh in the name of the Lord, if the thing follow not, nor come to passe, that is the thing which the Lord hath not spoken, but the Prophet hath spoken it presumptuously.* Now, that that is the word of God which is publisht for such by a true Prophet, and that he was held to be a true Prophet among the *Jewes*, whose faith was true, and to whose prædictions the events answer'd, is without controversie; but what it is to follow other Gods, and whether the events which are affirm'd to answer their prædictions, doe truly answer them, or not, may admit many controversies, specially in prædictions which obscurely, & ænigmatically foretell the Event such, as the prædictions of almost all the Prophets are, as who saw not God apparently like unto *Moyses*, but *in darke speeches, and in figures. Numb.* 12. *ver.* 8. But of these we cannot judge otherwise then *by the way of*

naturall

naturall reaſon; becauſe that Judgment depends on the Prophets interpretation, and on its proportion with the Event.

What was held for the written word of God among the Jewes.

XII. The *Jewes* did hold the booke of the whole Law which was called *Deuteronomie*, for *the written word of God*, and that onely, (foraſmuch as can be collected out of ſacred hiſtory) untill the Captivity, for this booke was deliver'd by *Moyſes* himſelfe to the Prieſts to be kept, and layd up in the ſide of the Ark of the Covenant, and to be copyed out by the Kings; and the ſame a long time after by the authority of King *Joſiah* acknowledg'd againe for *the Word of God*. 2 *Kings* 23. *ver.* 2. But it is not manifeſt when the reſt of the books of the Old Teſtament were firſt receiv'd into Canon, but what concernes the Prophets, *Iſaiah* and the reſt, ſince they foretold no other things then what were to come to paſſe, either in or after the Captivity, their writings could not at that time be held for Prophetique, by reaſon of the Law cited above. *Deut.* 18. *ver.* 21, 22. Whereby the *Iſraelites* were commanded not to account any man for a true Prophet but him whoſe Prophecies were anſwer'd by the events; And hence peradventure it is that the *Jews* eſteem'd the writings of thoſe whom they ſlew when they Propheſied; for Prophetique afterward, that is to ſay, for the word of God.

The power of interpreting the word of God, and the ſupreme

XIII. It being known what Lawes there were under *the old Covenant*, and that *Word of God* receiv'd from the beginning; we muſt farthermore conſider with whom the authority of judging, whether the writings of the Prophets ariſing afterward,

were

were to be receiv'd for the *Word of God*, that is to say, whether the Events did answer their prædictions or not', and with whom also the authority *of interpreting the Lawes already receiv'd, and the written Word of God*, did reside; which thing is to be trac't through all the times, and severall changes of the Commonwealth of Israel. But it is manifest that this power during the life of *Moyses*, was intirely in himselfe; for if he had not been the *Interpreter of the Lawes and Word*, that office must have belong'd either to *every private person*, or to a *congregation*, or *Synagogue* of many, or to the *High-Priest*, or to other *Prophets*. First, that that office belong'd not to private men, or any Congregation made of them, appeares hence, that they were not admitted, nay they were prohibited, with most heavy threats, *to heare God* speake, otherwise then by the means of *Moyses*; for it is written, *Let not the Priests and the people break through to come up unto the Lord, lest he break forth upon them. So Moyses went downe unto the people, and spake unto them.* Exod. 19. 24, 25. It is farther manifestly, and expresly declar'd, upon occasion given by the Rebellion of *Core, Dathan* and *Abiram*, and the two hundred and fifty Princes of the Assembly, that neither private men, nor the Congregation should pretend that God had spoken by them, and by Consequence that they had *the right of interpreting Gods Word*; for they contending, that God spake no lesse by them then by *Moyses*, argue thus, *Yee take too much upon you, seeing all the Congregation are holy, every one of them,*

civil power were united in Moyses *while he lived.*

and

and the Lord is among them; wherefore then lift yee up your ſelves above the Congregation of the Lord? Numb. 16. *ver.* 3. But how God determin'd this controverſie is eaſily underſtood by the 33. and 35. verſes of the ſame Chapter, where *Corah, Dathan, and Abiram went downe alive into the Pit, and there came out fire from the Lord, and conſumed the two hundred and fifty men that offer'd Incenſe.* Secondly, that *Aaron* the high Prieſt had not this authority, is manifeſt by the like controverſie betweene him (together with his Siſter *Miriam*) and *Moyſes*; For the Queſtion was, whether God ſpake by *Moyſes* only, or by them alſo, that is to ſay, whether *Moyſes* alone, or whether they alſo were *interpreters of the Word of God.* For thus they ſaid, *Hath the Lord indeed ſpoken onely by* Moyſes? *Hath he not alſo ſpoken by us?* Numb. 12. *ver.* 2. But God reprov'd them, and made a diſtinction betweene *Moyſes* and other *Prophets*, ſaying, *If there be a Prophet among you, I the Lord will make my ſelfe knowne unto him in a viſion, and will ſpeake unto him in a dreame: My Servant* Moyſes *is not ſo, &c. For with him will I ſpeake mouth to mouth, even apparently, and not in darke ſpeeches, and the Similitude of the Lord ſhall he behold, wherefore then were yee not afraid to ſpeake againſt my Servant Moyſes?* Ibid. ver. 6, 7, 8. Laſtly, that *the interpretation of the Word of God* as long as *Moſes* liv'd, belong'd not to any other Prophets whatſoever, is collected out of that place which we now cited concercerning his eminency above all others, and out of naturall reaſon, for as much as it be-

longs

longs to the ſame Prophet who brings the Commands of God to unfold them too; but there was then no other *Word of God*, beſide that which was declar'd by *Moyſes*; and out of this alſo, that there was no other Prophet extant at that time, who Propheſied to the people, excepting the 70. Elders who Propheſied by *the Spirit* of *Moyſes*; and even that *Joſhuah*, who was then *Moyſes* his Servant, his ſucceſſour afterward, beleev'd to be injuriouſly done, till he knew it was by *Moyſes* his Conſent, which thing is manifeſt by Text of Scripture, *And the Lord came downe in a clowd, &c. and tooke of the ſpirit that was upon* Moyſes, *and gave it unto the 70. Elders. Numb.* 11. *ver.* 25. Now after it was told that they Propheſied, *Joſhuah* ſaid unto *Moyſes*, *Forbid them my Lord:* But *Moyſes* anſwered, *Why envieſt thou for my ſake?* Seeing therefore *Moyſes* alone was *the Meſſenger of Gods Word*, and that the *authority of interpreting* it pertain'd neither to *private men*, nor to *the Synagogue*, nor to the *High Prieſt*, nor to other *Prophets*, it remaines, that *Moyſes* alone was *the Interpreter of Gods Word*, who alſo had the ſupreme power in civill matters; and that the conventions of *Corah* with the reſt of his complices againſt *Moſes*, and *Aaron*, and of *Aaron* with his Siſter againſt *Moyſes*, were rais'd, not for the ſalvation of their ſoules, but by reaſon of their ambition, and deſire of Dominion over the People.

XIV. In *Joſhuahs* time *the interpretation of the Lawes*, and of *the Word of God*, belong'd to *Eleazar* the High Prieſt, who was alſo under God, their abſolute King; which is

They were alſo united in the High Prieſt du-

ring the life of Joshuah.

is collected first of all out of the *Covenant it selfe*, in which the Common-wealth of *Israel* is called a *Priestly Kingdome*, or as it is recited in the 1 *Pet.* 2. 9. A *Royall Priesthood*, which could in no wise be sayd, unlesse by the institution and *Covenant* of the People, the regall power were understood to belong to the *High Priest*. Neither doth this repugne what hath beene said before, where *Moyses*, and not *Aaron*, had the Kingdome under God; since it is necessary that when one man institutes the forme of a future Common-wealth, that one should governe the Kingdome which he institutes, during his life, (whether it be *Monarchie*, *Aristocraty*, or *Democraty*) and have all that power for the present, which he is bestowing on others for the future; Now, that *Eleazar* the Priest, had not onely *the Priesthood*, but also *the Soveraignty*, is expressely set downe in *Joshuahs* call to the administration; for thus it is written. *Take thee* Joshuah *the Son of* Nun, *a man in whom is the Spirit, and lay thine hand upon him, and set him before* Eleazer *the Priest, and before all the Congregation, and give him a charge in their sight, and thou shalt put some of thine honour upon him, that all the Congregation of the Children of* Israel *may be obedient, and he shall stand before* Eleazar *the Priest, who shall aske Counsell for him after the judgment of* Urim, *before the Lord, at his word shall they goe out, and at his word shall they come in, and all the Children of* Israel *with him, even all the Congregation.* Num. 27. ver. 18, 19, 20, 21. where *to aske Counsell of God for whatsoever is to be done*, (that is) *to interpret Gods word*, and in the name of God

to

to Command in all matters, belongs to *Eleazar*; and *to goe out*, and *to come in at his word*, that is to say, to obey, belongs both to *Joshuah*, and *to all the People*. Its to be observ'd also, that that speech, *Part of thy glory*; clearely denotes that *Joshuah* had not a power equall with that which *Moyses* had. In the meane time it is manifest, that even in *Ioshuahs* time, the Supreme power and authority of interpreting the word of God, were both in one Person.

They were also united in the High Priest, untill King Sauls time.

XV. After *Ioshuahs* death follow the times of the *Iudges* untill King *Saul*, in which it is manifest that the right of the *Kingdome* instituted by God, remained with the *High Priest*; for the *Kingdome* was by Covenant *Priestly*, that is to say, Gods government by Priests; and such ought it to have been untill that form with Gods consent were changed by the people themselves, which was not done, before that requiring a King God consented unto them, and said unto *Samuel*, *Hearken unto the voyce of the people in all that they say unto thee; for they have not rejected thee, but they have rejected me that I should not reign over them.* 1. Sam. 8. 7. The supreme civill power was therefore *Rightly* due by Gods own institution to the High-Priest; but actually that power was in the Prophets, to whom (being raysed by God in an extraordinary manner) the *Israelites* (a people greedy of the Prophets) submitted themselves to be protected, and judged, by reason of the great esteem they had of Prophecies; The Reason of this thing, was, because that though penalties were set, and Judges appointed in the institution of

Gods

Gods prieſtly Kingdome, yet, the Right of inflicting puniſhment, depended wholly on private judgement, and it belonged to a diſſolute multitude, and each ſingle Perſon, to puniſh or not to puniſh according as their private zeale ſhould ſtirre them up. And therefore *Moyſes* by his own command puniſht no man with death; but when any man was to be put to death, one or many ſtirred up the multitude againſt him or them, by divine authority, and ſaying, *Thus ſaith the Lord.* Now this was conformable to the nature of Gods peculiar Kingdome. For there God reignes indeed where his Lawes are obeyed, not for fear of men, but for fear of himſelfe; and truly, if men were ſuch as they ſhould be, this were an excellent ſtate of civill government, but as men are, there is a coercive power (in which I comprehend both right and might) neceſſary to rule them; and therefore alſo God from the beginning preſcribed Lawes by *Moyſes* for the future Kings. *Deut.* 17. *verſ.* 14. and *Moyſes* foretold this in his laſt words to the people, ſaying, *I know that after my death ye will utterly corrupt your ſelves, and turn aſide from the way that I have commanded you,* &c. Deut. 31. 29. when therefore according to this prediction there aroſe another generation *who knew not the Lord, nor yet the works which he had done for Iſrael, the children of Iſrael did evill in the ſight of the Lord, and ſerved* Balaam, *Iud.* 2. 10, 11. to wit, they caſt off Gods government, that is to ſay, that of the *Prieſt*, by whom God ruled, and afterward, when they were overcome by their enemies, and oppreſt with bondage, they looked for

Gods

Gods will, not at the hands of the *Priest* any more, but of the Prophets. These therefore *actually* judged *Israel*, but their obedience was *rightly due* to the *High Priest*; Although therefore the Priestly Kingdome after the death of *Moyses*, & *Ioshuah*, was without power, yet was it not without Right. Now that the *interpretation of Gods word* did belong to the same High Priest, is manifest by this, That God, after the Tabernacle, & the Ark of the Covenant was consecrated, spake no more in mount *Sinai*, but in the Tabernacle of the Covenant, from the propitiatory which was between the *Cherubims*, whether it was not lawfull for any to aproach except the High Priest; If therefore regard be had to the *Right* of the Kingdome, *the supreme civill power, and the authority of interpreting Gods word*, were joyned in the High Priest; If we consider the *fact*, they were united in the Prophets who judged *Israel*; For as *Iudges*, they had the civill authority, as *Prophets*, they interpreted Gods word, and thus every way hitherto these two powers continued inseparable.

XVI. Kings being once constituted, its no doubt but the *civill authority* belonged to them, for the Kingdome of God by the way of Priesthood, (God consenting to the request of the *Israelites*) was ended, which *Hierom* also marks speaking of the books of *Samuel*, *Samuel* (sayes he) *Eli being dead*, and *Saul* slain, declares the old Law abolisht; Furthermore the Oaths of the new Priesthood, and new Soveraignty in *Zadok*, and *David*, do testifie, that the Right whereby the *Kings* did rule, was founded in the very

They were united in the Kings untill the Captivity.

very conceſſion of the People. The Prieſt could Rightly doe whatſoever every man could rightly doe himſelfe; for the *Iſraelites* granted him *a Right* to *judge* of all things, and to *wage warre* for all men; in which two are contained all Right whatſoever can be conceived from man to man. Our King (ſay they) *ſhall judge us, and goe out before us, and fight our battails*, 1. *Sam.* 8. 20. *Iudicature* therefore belonged to the Kings, but to *judge* is nothing elſe then *by interpreting to apply* the *facts* to the *Lawes*; to them therefore belonged *the interpretation of Lawes too*: and becauſe there was no other written word of God acknowledged beſide the *Law of Moyſes*, untill the Captivity, the authority *of interpreting Gods word*, did alſo belong to the Kings; Nay, foraſmuch as the word of God muſt be taken for a Law, if there had been another written word beſide the Moſaicall Law, ſeeing the interpretation of Lawes belonged to the Kings, the interpretation of it muſt alſo have belonged to them. When the book of *Deuteronomie* (in which the whole Moſaicall *Law* was contained) being a long time loſt, was found again, *the Prieſts* indeed asked Counſell of God concerning that book, but not by their own authority, but by the Commandement of *Ioſiah*, and not immediately neither, but by the meanes of *Holda* the Propheteſſe; whence it appears that the authority of admitting books for the word of God, belonged not to the Prieſt; neither yet followes it that that authority belonged to the Propheteſſe, becauſe others did judge of the Prophets whether

ther they were to be held for true, or not; for to what end did God give signes, and tokens to all the People, whereby the true Prophets might be discerned from the false, namely, the event of predictions, and conformity with the Religion establisht by *Moyses*, if they might not use those marks? The authority therefore of admitting books for *the word of God* belonged to the King, & thus that book of the Law was approved, and received again by the authority of King *Iosiah*, as appears by the fourth book of the *Kings*, 22. 23. Chap. where it is reported that he gathered together all the severall degrees of his Kingdome, *the Elders, Priests, Prophets, and all the people, and he read in their eares all the words of the Covenant*, that is to say, he caused that *Covenant* to be acknowledged for the *Mosaicall Covenant*, that is to say, *for the word of God*, and to be again received, and confirmed by the *Israelites*; The civill power therefore, and the power of *discerning Gods word* from the word of men, and of *interpreting Gods word* even in the dayes of the Kings was wholly belonging to themselves. Prophets were sent not with authority, but in the form, and by the Right of Proclaimers, and Preachers, of whom the hearers did judge; and if perhaps these were punisht who did not listen to them plainly, teaching easie things, it doth not thence follow, that the Kings were obliged to follow all things which they in Gods name did declare, were to be followed: for though *Iosiah* the good King of *Iudah* were slain because he obeyed not the word of the Lord from the mouth of *Necho* King of *Ægypt*,

that

that is to say, becauſe he rejected good Counſell though it ſeemed to come from an enemy, yet no man I hope will ſay that *Ioſiah* was by any bond either of *divine*, or *humane Lawes* obliged to beleeve *Pharoah Necho* King of *Æ*gypt, becauſe he ſaid *that God had ſpoken to him.* But what ſome man may object againſt Kings, that for want of learning, they are ſeldome able enough to interpret thoſe books of antiquity in the which Gods word is contained, and that for this cauſe it is not reaſonable that this office ſhould depend on their authority, he may object as much againſt the Prieſts, and all mortall men, for they may erre; and although Prieſts were better inſtructed in nature, and arts then other men, yet Kings are able enough to appoint ſuch interpreters under them; and ſo, though Kings did not themſelves interpret the word of God, yet the office of interpreting them might depend on their authority; and they who therefore refuſe to yeeld up this authority to Kings, becauſe they cannot practiſe the office it ſelfe, doe as much as if they ſhould ſay that the authority of teaching *Geometry* muſt not depend upon Kings, except they themſelves were *Geometricians*. We read that Kings have prayed for the People, that they have bleſt the people, that they have conſecrated the Temple, that they have commanded the Prieſts, that they have removed Prieſts from their office, that they have conſtituted others: Sacrifices indeed they have not offered, for that was hereditary to *Aaron*, and his ſonnes; but it is manifeſt, as in *Moyſes* his life time, ſo throughout all ages from

King

King *Saul* to the captivity of *Babylon*, that the Prieſthood was not a Maiſtry, but a Miniſtry.

XVII. After their returne from Babylonian bondage, the *Covenant* being renewed, and ſign'd, *the Prieſtly Kingdome* was reſtor'd to the ſame manner it was in from the death of *Ioſhuah* to the beginning of the Kings; excepting that it is not expreſly ſet downe that the return'd *Jewes* did give up the Right of Soveraignty either to *Eſdras* (by whoſe directions they ordred their State) or to any other, beſide God himſelfe. That reformation ſeemes rather to be nothing elſe then the bare promiſes, and vowes of every man to obſerve thoſe things which were written in the booke of the Law; notwithſtanding, (perhaps not by the Peoples intention) by virtue of the *Covenant* which they then renewed, (for the Covenant was the ſame with that which was made at Mount *Sinai*) that ſame ſtate was a *Prieſtly Kingdome*, that is to ſay, the ſupreme civill authority, and the ſacred were united in the Prieſts; Now, howſoever through the ambition of thoſe who ſtrove for the Prieſthood, and by the interpoſition of forraigne Princes, it was ſo troubled till our Saviour *Ieſus Chriſts* time, that it cannot be underſtood out of the hiſtories of thoſe times, where that authority reſided; yet it's plaine, that in thoſe times, the power *of interpreting Gods Word* was not ſevered from the ſupreme civill power.

The ſame were united in the Prieſts after the Captivity.

XVIII. Out of all this, we may eaſily know how the *Iewes* in all times fom *Abraham* unto *Chriſt* were to behave themſelves

Among the Jewes the deniall of

the Divine providence, and Idolatry, were the only Treasons against the Divine Majesty: in all other things they ought to obey their Princes.

selves in the Commands of their *Princes*; for as in Kingdomes meerly humane men must obey a subordinate Magistrate in all things, excepting when his Commands containe in them some Treason, so in the Kingdome of God the *Iewes* were bound to obey their *Princes*, *Abraham*, *Isaac*, *Iacob*, *Moyses*, the *Priest*, the *King*, every one during their time in all things, except when their commands did containe some *treason against the Divine Majesty*. Now treason against the Divine Majesty was, first *the deniall of his divine providence*, for this was *to deny God to be a King by nature*; next, *Idolatry*, or the worship not of other (for there is but one God) but of strange Gods, that is to say, a worship though of one God, yet under other *Titles*, *Attributes*, and *Rites*, then what were establisht by *Abraham*, and *Moyses*, for this was to *deny the God* of *Abraham* to be their King *by Covenant* made with *Abraham*, and themselves; in all other things they were to obey; and if a King or Priest having the Soveraign authority, had commanded somewhat else to be done which was against the Lawes, that had been his sinne, and not his subjects, whose duty it is, not to dispute, but to obey the Commands of his superiours.

CHAP.

of the Kingdome of God by the new Covenant.

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thority to define what conduces to the Peace, and defence of the City. XII. It pertains to the civill authority to judge (when need requires) what definitions, and what inferences are true. XIII. It belongs to the Office of Christ to teach morally, not by the way of speculation, but as a Law; to forgive sinnes; and to teach all things whereof there is no science properly so called. XIV. A distinction of things temporall from spirituall. XV. In how many severall sorts the word of God may be taken. XVI. That all which is contained in holy Scripture, belongs not to the Canon of Christian Faith. XVII. That the word of a lawfull Interpreter of holy Scriptures, is the word of God. XVIII. That the authority of interpreting Scriptures, is the same with that of determining controversies of Faith. XIX. Divers significations of a Church. XX. What a Church is to which We attribute Rights, Actions, and the like personall Capacites. XXI. A Christian City is the same with a Christian Church. XXII. Many Cities do not constitute one Church. XXIII. Who

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The Prophecies of Chriſts dignity.

I. THere are many cleare propheſies extant *in the old Teſtament* concerning *our Saviour* Jeſus Chriſt, who was to reſtore the *Kingdome of God* by a new *Covenant*, partly foretelling his regall *Dignity*, partly his *Humility* and *Paſſion*. Among others concerning his Dignity, theſe; God bleſſing *Abraham*, makes him a promiſe of his ſonne *Iſaac*, and addes, *And Kings of People ſhall be of him*, Gen. 17. verſ. 15. Jacob *bleſſing his ſonne* Judah, *The Scepter (quoth he) ſhall not depart from* Judah, Gen. 49. verſ. 10. *God to* Moyſes, *A Prophet (ſaith he) will I raiſe them up from among their brethren like unto thee, and will put my words in his mouth,*

and he ſhall ſpeak unto them all that I ſhall command him, and it ſhall come to paſſe, that whoſoever will not hearken unto my words, which he ſhall ſpeak in my name, I will require it of him, Deut. 18. verſ. 18. Iſaias, *The Lord himſelfe ſhall give thee a ſigne, Behold a Virgin ſhall conceive, and bear a Sonne, and ſhall call his name* Emanuel, Iſai 7. v. 14. The ſame Prophet, *Unto us a child is born, unto us a Sonne is given, and the goverument ſhall be upon his ſhoulders; and his name ſhall be called Wonderfull, Counſellour, the mighty God, the Everlaſting Father, the Prince of Peace,* Iſai 9. verſ. 9. And again, *There ſhall come forth a Rod out of the ſtemme of* Jeſſe, *and a branch ſhall grow out of his roots; the ſpirit of the Lord ſhall reſt upon him, &c. he ſhall not judge after the ſight of his eyes, neither reprove after the hearing of his eares, but with righteouſneſſe ſhall he judge the poor, &c. and he ſhall ſmite the earth with the rod of his mouth, and with the breath of his lips ſhall he ſlay the wicked,* Iſay 11. verſ. 1, 2, 3, 4, 5. Furthermore in the 51, 52, 53, 54, 56, 60, 61, 62. Ch. of the ſame *Iſay*, there is almoſt nothing elſe contained but a deſcription of the coming, and the works of Chriſt. Jeremias, *Behold the days come, ſaith the Lord, that I will make a new Covenant with the houſe of* Iſrael, *and with the houſe of* Judah, Jerem. 31. 31. And *Baruch, This is our God. &c. Afterward did he ſhew himſelfe upon earth, and converſed with men,* Baruch 3. verſ. 35, 37. Ezekiel, *I will ſet up one Shepheard over them, and he ſhall feed them, even my Servant* David, *And I will make with them a Covenant of Peace, &c.* Ezek. 24. verſ. 2, 3, 25. Daniel, *I ſaw in*

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the night visions, and behold one like the Sonne of man came with the clouds of heaven, and came to the antient of dayes, and they brought him near before him, and there was given him Dominion, and Glory, and a Kingdome, that all People, Nations, and Languages should serve him, his Dominion is an everlasting Dominion, &c. Dan. 7. vers. 13, 14. Haggai, *Yet once it is a little while, and I will shake the Heaven, and the Earth, and the Sea, and the drye Land, and I will shake all Nations, and the desire of all Nations shall come,* Haggai 2. v. 8. Zachariah, Under the type of *Joshuah* the High Priest: *I will bring forth my servant the Branch, &c.* Zach. 3. v. 8. And again, *Behold the man whose name is the Branch,* Zach. 6. v. 12. And again, *Rejoyce greatly O Daughter of* Sion, *Shout O Daughter of* Jerusalem, *behold thy King cometh to thee, he is just, having salvation,* Zach 9. v. 9. The Jewes moved by these, and other Propheſies, expected Christ their King to be sent from God, who should redeem them, and furthermore bear rule over all Nations. Yea this Propheſie had spread over the whole Roman Empire (which *Vespasian* too, though falsly, interpreted in favour of his own enterprises) *That out of* Judea *should come he that should have dominion.*

II Now the Propheſies *of Christs Humility and Passion,* amongst others are these. Isa. 53. v. 4 *He hath born our griefes, and carried our sorrowes; yet we did esteem him stricken, smitten of God, & afflicted,* and by and by, *He was oppressed, he was afflicted, yet he opened not his mouth; He is brought as a Lamb to the slaughter, and as a sheep before her Shearer is dumb, so*

The Propheſies of Christs Humility and Passion.

opened he not his mouth, &c. verſ. 7. And again, *He was cut out of the Land of the living, for the transgreſsion of my People was he ſtricken, &c.* verſ. 8. *Therefore will I divide him a portion with the great, and he ſhall divide the ſpoyle with the ſtrong, becauſe he hath poured out his ſoule unto death, and he was numbred with the transgreſſours, and he bare the ſinne of many, and made interceſsion for the transgreſſours*, verſ. 12. And that of *Zachary, He is lowly, riding upon an Aſſe, and upon a Colt the foale of an Aſſe.* Zach. 9. verſ. 9.

That Jeſus was the Chriſt.

III. In the reign of *Tiberius Cæſar*, JESUS our Saviour a *Galilæan* began to preach, the ſonne (as was ſuppoſed) of *Joſeph*, declaring to the people of the Jewes, that the Kingdome of God expected by them, was now come, and that himſelfe was a *King*, that is to ſay, *THE CHRIST*: Explaining the *Law*, chooſing *twelve Apoſtles*, and *ſeventy Diſciples*, after the number of the *Princes* of the Tribes, and ſeventy Elders (according to the pattern of *Moyſes*) to the Miniſtry; *teaching the way of ſalvation* by himſelfe and them; purging the Temple, doing great ſignes, and fulfilling all thoſe things which the Prophets had foretold of Chriſt to come. That this man, hated of the *Phariſees*, (whoſe falſe doctrine and hypocriticall ſanctity he had reproved) and by their means, of the People accuſed of unlawfull ſeeking for the Kingdome, and crucified, was the true *CHRIST*, and *King* promiſed by God, and ſent from his father to renew the *new Covenant* between them and God, both the Evangeliſts doe ſhew (deſcribing his Genealogie, nativity,

vity, life, doctrine, death, and resurrection) and by comparing the things which he did, with those which were foretold of him, all Christians doe consent to.

IV. Now from this, That CHRIST was sent from God his Father to make a *Covenant* between him and the people, it is manifest, that though Christ were equall to his Father according to his nature, yet was he inferior according to the Right of the Kingdom; for this office to speak properly, was not that of a King, but of a Vice-roy, such as *Moyses* his Government was; for the Kingdom was not his, but his *Fathers*; which CHRIST himselfe signified when he was baptized as a subject, and openly profest, when he taught his Disciples to pray, *Our Father, Thy Kingdome come, &c.* And when he said, *I will not drink of the blood of the grape, untill that day when I shall drink it new with you in the Kingdome of my Father*, Mat. 26. vers. 29. And Saint *Paul*. *As in* Adam *all die, so in Christ shall all be made alive; but every man in his own order; Christ the first fruits, afterward they that are Christs, who beleeved in his coming; Then cometh the end when he shall have delivered up the Kingdom to God even his Father*, &c. 1. Cor. 15. vers. 22, 23, 24. The same notwithstanding is also called the *Kingdome of Christ*: for both the Mother of the sonnes of *Zebedie* petitioned Christ, saying, *Graut that these my two sonnes may sit, the one on thy right hand, the other on thy left, in thy Kingdome*, Mat. 20. vers. 21. And the Theef on the Cross, *Lord remember when me thou comest into thy Kingdom*, Luke 23. vers. 42. And Saint *Paul*, *For this know yee, that no whoremonger*,

That the Kingdom of God by the new Covenant was not the Kingdome of Christ, as Christ, but as God.

ger, &c. *ſhall enter into the Kingdome of God, and of Chriſt*, Epheſ. 5. ver. 5. And elſewhere, *I charge thee before God, and the Lord Ieſus Chriſt, who ſhall judge the quick and dead at his appearing, and his Kingdome, &c.* 2 Tim. 4. ver. 1. *And the Lord ſhall deliver me from every evill worke, and will preſerve me unto his heavenly Kingdome*, ver. 18. Nor is it to be marvelled at, that the ſame Kingdome is atttibured to them both, ſince both the Father, and the Son, are the ſame God, and the new Covenant concerning Gods Kingdome, is not propounded in the Name of the FATHER, but in the name of the FATHER, of the SON, and of the HOLY-GHOST, as of one God.

That the Kingdome of God by the new Covenant is heavenly, and begins from the day of Iudgement.

V. But the Kingdome of God, for reſtitution whereof *CHRIST* was ſent from God his Father, takes not its beginning before his ſecond comming, to wit, from the day of Judgement, when he ſhall come in Majeſty accompanied with his Angels: For it is promis'd the Apoſtles, that in the Kingdome of God, they ſhall judge the twelve tribes of *Iſrael. Ye which have followed me in the regeneration, when the Sonne of man ſhall ſit in the Throne of his glory, ye alſo ſhall ſit upon twelve Thrones judging the twelve tribes of Iſrael*, Mat. 19. ver. 28. which is not to be done till the day of judgement; *CHRIST* therefore is not yet in the throne of his Majeſty, nor is that time when *CHRIST* was converſant here in the world call'd a Kingdome, but a *regeneration*, that is to ſay a renovation, or reſtitution of the Kingdome of God, and a calling of them who were hereafter to be receiv'd

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into his Kingdome; And where it is said, *When the Son of man shall come in his glory, and all the holy Angels with him, then shall he sit upon the throne of his glory, and before him shall be gathered all Nations, and he shall separate them one from another, as a Shepheard divideth his Sheep from the Goates*, Mat. 25. ver. 31. We may manifestly gather, that there will be no locall separation of Gods Subjects from his Enemies, but that they shall live mixt together untill *CHRISTS* second comming; which is also confirm'd by the comparison of the Kingdome of heaven, with wheat mingled with *Darnell*, and with a net containing all sorts of fish: But a multitude of men, Enemies and Subjects, living promiscuously together, cannot properly be term'd a Kingdome. Besides, the Apostles, when they askt our Saviour, Whether he would at that time when he ascended into heaven, restore the Kingdome unto Israel? did openly testifie, that they then, when CHRIST ascended, thought the Kingdome of God not to be yet come. Farthermore, the words of CHRIST, *My Kingdome is not of this world*; And, *I will not drinke, &c. till the Kingdome of God come:* And, *God hath not sent his Son into the World, to judge the World, but that the World through him might be sav'd.* And, *If any man heare not my words, and keepe them, I judge him not; for I came not to judge the World, but to save the World.* And, *Man, who made me a judge or divider betweene you?* And the very Appellation of the *Kingdome of Heaven* testifies as much. The same thing is gathered out of the

words of the Prophet *Jeremiah*, ſpeaking of the Kingdome of God by the new Covenant, *They ſhall teach no more every man his Neighbour, ſaying, Know the Lord, for they ſhall all know me from the leaſt of them, to the greateſt of them, ſaith the Lord*, Jer. 31. v. 34. which cannot be underſtood of a Kingdome in this World. The Kingdome of God therefore, for the reſtoring whereof CHRIST came into the world, of which the Prophets did Propheſie, and of which praying wee ſay, *Thy Kingdome come*, (if it muſt have Subjects locally ſeparated from Enemies, if judicature, if Majeſty, according as hath beene foretold,) ſhall begin from that time, wherein God ſhall ſeparate the Sheep from the Goats, wherein the Apoſtles ſhall judge the twelve Tribes of *Iſrael*; wherein CHRIST ſhall come in Majeſty, and glory; wherein laſtly, all men ſhall ſo know God, that they ſhall not need to be taught, that is to ſay, at CHRIST his ſecond comming, or the day of Judgement; But if the Kingdome of God were now already reſtor'd, no reaſon could be rendered why CHRIST having compleated the work for which he was ſent, ſhould come againe, or why we ſhould pray, *Thy Kingdome come*.

The government of Chriſt in this world was not a Soveraignty, but Counſell, or

VI. Now, although the Kingdome of God by CHRIST to be eſtabliſht with a *new Covenant*, were Heavenly, we muſt not therefore thinke, that they, who beleeving in CHRIST would make that Covenant, were not ſo to be govern'd here on the Earth too, as that they ſhould perſevere in their faith, and obedience

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promſs'd by that Covenant. For in vaine had the Kingdome of heaven beene promis'd, if we were not to have been led into it; but none can be led, but thoſe who are directed in the way. *Moyſes*, when he had inſtituted the *Prieſtly Kingdome*, himſelfe though he were no Prieſt, yet rul'd, and conducted the People all the time of their Peregrination untill their entrance into the promis'd Land; In the ſame manner is it our Saviours office (whom God in this thing would have like unto *Moyſes*) as he was ſent from his Father, ſo to governe the future Subjects of his heavenly Kingdome in this life, that they might attaine to, and enter into that, although the Kingdome were not properly his, but his Fathers. But the government whereby CHRIST rules the faithfull ones in this life, is not properly a *Kingdome*, or *Dominion*, but a *Paſtorall charge*, or *the Right of teaching*, that is to ſay, God the farher gave him not a power *to judge* of *Meum* and *Tuum* as he doth to the Kings of the Earth; nor a *Coercive power*, nor *legiſlative*; but of ſhewing to the world, and *teaching them the way, and knowledge of Salvation*, that is to ſay, of Preaching, and declaring what they were to doe, who would enter into the Kingdome *of Heaven*. That CHRIST had receiv'd no power from his father to judge in Queſtions of *Meum* and *Tuum*, that is to ſay, in all Queſtions of Right among thoſe who beleev'd not, thoſe words above cited doe ſufficiently declare: *Man, who made me a judge, or divider betweene you?* And it is confirm'd by reaſon; for ſeeing

a government by way of doctrine, and perſwaſion

CHRIST

CHRIST was sent to make *a Covenant* between God and men, and no man is oblig'd to performe obedience before the Contract be made, if he should have judg'd of Questions of *Right*, no man had been tyed to obey his sentence. But that the discerning of Right was not committed to CHRIST in this world, neither among the faithfull, nor among infidels, is apparent in this, that that Right without all controversie belongs to Princes as long as it is not by God himselfe derogated from their authority; But it is not derogated before the day of Judgement, as appeares by the words of Saint *Paul*, speaking of the day of Judgement, *Then commeth the end when he shall have delivered up the Kingdome to God even the Father, when he shall have put downe all rule, and all authority, and power,* 1 Cor. 15. ver. 24. Secondly, the words of our Sauiour reproving *James*, and *Iohn*, when they had said, *Wilt thou that we call for Fyer from Heaven, that it may consume them* (namely the *Samaritans*, who had denyed to receive him going up to *Ierusalem*) and replying, *The Son of Man is not come to destroy soules, but to save them*; And those words, *Behold I send you as Sheep among Wolves*; *Shake off the dust of your Feet*, and the like; And those words, *God sent not his Son into the world, to judge the world, but that the world through him might be sav'd*; and those, *If any man heare my words, and keep them not, I judge him not, for I came not to judge the world, &c.* doe all shew, that he had no power given him, to condemne or punish any man. We reade indeed

indeed that the *Father judgeth no Man, but hath committed all judgement to the Son*, but ſince that both may, and muſt be underſtood of the day of future judgement, it doth not at all repugne what hath beene ſayed before. Laſtly, that he was not ſent to make new Lawes, and that therefore by his Office, and miſſion, he was no Legiſlatour properly ſo called, nor *Moyſes* neither, but a bringer and Publiſher of his Fathers Lawes, (for God only, and neither *Moyſes*, nor CHRIST, was a King by Covenant) is collected hence, that he ſayed, *I came not to deſtroy* (to wit the Lawes before given from God by *Moyſes*, which he preſently interprets) *but to fulfill*; And, *He that ſhall break one of the leaſt of theſe Commandements, and ſhall teach men ſo, he ſhall be called leaſt in the Kingdome of Heaven.* CHRIST therefore had not a Royall, or Soveraigne power committed to him from his Father in this world, but conſiliary, and doctrinall onely; which himſelfe ſignifies, as well then when he calls his Apoſtles, not Hunters, but Fiſhers of men; as when he compares the Kingdome of God to a graine of muſtard ſeed, and to a little Leaven hid in meale.

VII. God promis'd unto *Abraham* firſt, a numerous ſeed, the poſſeſſion of the Land of *Canaan*, and a bleſſing upon all Nations in his ſeed, on this Condition, that he, and his ſeed ſhould ſerve him; next unto the ſeed of *Abraham* according to the fleſh, *a Prieſtly* Kingdome, a Government moſt free, in which they were to be Subject to no humane power, on this Condition,

What the Promiſes of the new Covenant are on both parts.

dition, that they ſhould ſerve the God of *Abraham* on that faſhion which *Moyſes* ſhould teach. Laſtly, both to them, and to all Nations, a heavenly, and *eternall* Kingdome, on Condition that they ſhould ſerve the God of *Abraham*, on that manner which Chriſt ſhould teach. For by *the new*, that is to ſay, *the Chriſtian Covenant*, it's covenanted on mens part, to ſerve the God of *Abraham*, *on that manner which* JESUS *ſhould teach*: On Gods part, *to pardon their ſinnes, and bring them into his cæleſtiall Kingdome.* We have already ſpoken of the quality of the *heavenly* Kingdome above in the 5. Article; but it is uſually call'd, ſometimes the *Kingdome of Heaven*, ſometimes the *Kingdome of Glory*, ſometimes the *life Eternall*. What's required on mens part, namely to ſerve God as CHRIST ſhould teach, containes two things, *Obedience to be performed to God*, (for this is to ſerve God) and *Faith in* JESUS, to wit, That we beleeve JESUS TO BE THAT CHRIST who was promis'd by God: for that only is the cauſe why his Doctrine is to be followed, rather then any others. Now in holy Scriptures, *Repentance* is often put in ſtead of *Obedience*, becauſe Chriſt teacheth every where, that with God the Will is taken for the deed; but *Repentance* is an infallible ſign of an obedient mind. Theſe things being underſtood, it will moſt evidentlyappear out of many places of ſacred Scripture, that thoſe are the Conditions of *the Chriſtian Covenant* which we have nam'd, to wit, giving remiſſion of ſins, and eternall life

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on Gods part, and Repenting, and Beleeving in JESUS CHRIST, on Mens part. First, the words, *The Kingdom of God is at hand: Repent yee and beleeve the Gospell*, Mark 1. 15. contain the whole Covenant: In like manner those, *Thus it is written, and thus it behoved Christ to suffer, and to rise from the dead the third day; and that repentance, and remission of sinnes should be preached in his Name among all Nations, beginning at Jerusalem*, Luke 24. vers. 46,47. And those, *Repent and be converted, that your sins may be blotted out, when the times of refreshing shall come, &c.* Acts 3. vers. 19. And sometimes one part is expresly propounded, and the other understood, as here, *He that beleeveth in the Sonne, hath everlasting life; He that beleeveth not the Sonne, shall not see life, but the wrath of God abideth on him*, Iohn 3. vers. 36. Where *Faith* is expresst, *Repentance* not mentioned; and in CHRISTS preaching, *Repent, for the Kingdome of heaven is at hand*, Mat. 4. 17. Where *Repentance* is expresst, *Faith* is understood. But the parts of this *new Contract* are most manifestly, and formally set down there, where a certain Ruler bargaining as it were for the Kingdom of God, asketh our Saviour, *Good Master, what shall I doe to inherit eternall life*, Luke 18. v. 18. But CHRIST first propounds one part of the price, namely observation of the Commandements, or obedience, which when he answered that he had kept, he adjoynes the other, saying, *Yet lackest thou one thing; Sell all that thou hast, and distribute to the poor, and thou shalt have Treasure in Heaven, and come, follow me*, v. 22. This

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was matter of *Faith*. He therefore not giving sufficient credit to CHRIST, and his heavenly Treasures, went away sorrowfull. The same Covenant is contained in these words: *Hee that beleeveth, and is baptized, shall be saved, he that beleeveth not, shall be damned*, Mark 16. vers. 15, 16. Where *Faith* is expresst, *Repentance* is supposed in those that are baptized; and in these words, *Except a man be born again of water, and the Holy Ghost, he cannot enter into the Kingdome of Heaven*, Iohn 3. vers. 5. Where *to be born of water*, is the same with regeneration, that is to say, Conversion to CHRIST. Now that *Baptisme* is required in the two places cited just before, and in divers others, we must understand, that what *Circumcision* was to the *old Covenant*, that *Baptisme* is to the *new*: Seeing therefore, that was not of the Essence, but served for a memoriall of the *old Covenant*, as a Ceremony or signe (and was omitted in the wilderneſſe) in like manner this also is used, not as pertaining to the Essence, but in memory, and for a signe of the *New Covenant* which wee make with God; and provided the will be not wanting, the Act through necessity may be omitted; but *Repentance* and *Faith*, which are of the Essence of the *Covenant*, are alwayes required.

There are no Lawes added by Christ, beside the institution of the Sacraments.

VIII. In the *Kingdome* of God after this life there will be *no Lawes*, partly because there is no roome for Lawes, where there is none for sinne; partly becaus Laws were given us from God, not to direct us in *Heaven*, but unto *Heaven* Let us now therefore enquire what Laws CHRIST) esta-

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bliſht not himſelfe, for he would not take upon him any Legiſlative authority, as hath been declared above in the ſixth Article, but) propounded to us for his Fathers. Wee have a place in Scripture, where he contracts all the *Lawes of God* publiſht till that time, into two Preceps, *Thou ſhalt love the Lord thy God with all thine heart, with all thy ſoul, and with all thy minde, this is the greateſt, and firſt Commandement. And the ſecond is like unto it, Thou ſhalt love thy Neighbour as thy ſelfe. On theſe two Commandements hangs all the Law, and the Prophets*, Mat. 22. verſ. 37, 38, 39, 40. The firſt of theſe was given before by *Moyſes* in the ſame words, *Deut. 6.* verſ. 5. And the ſecond even before *Moyſes*, for it is the naturall Law, having its beginning with rationall nature it ſelfe; and both together is the ſumme of all Lawes: for all the Lawes of divine naturall worſhip, are contained in theſe words, *Thou ſhalt love God*; and all the Lawes of divine worſhip due by the *old Coveuant*, in theſe words, *Thou ſhalt love thy God*, that is to ſay *God*, as being the peculiar *King of Abraham*, and his ſeed; and all the Lawes naturall, and civill, in theſe words, *Thou ſhalt love thy Neighbour as thy ſelfe*; for he that loves God and his neighbour, hath a minde to obey all Lawes, both divine, and humane. But God requires no more then a minde to obey. Wee have another place, where CHRIST interprets the Lawes, namely, the fifth, ſixth, and ſeventh entire Chapters of Saint *Matthewes* Goſpell. But all thoſe Lawes are ſet down, either in the *Decalogue*, or in the *morall Law*, or are contained

tained in *the faith of Abraham*, as that Law of not putting away a wife is contained in *the faith* of *Abraham*: for that same, *Two shall be one flesh*, was not delivered either by CHRIST first, or by *Moyses*; but by *Abraham*, who first publisht the Creation of the world. The Lawes therefore which CHRIST contracts in one place, and explaines in another, are no other then those to which all mortall men are obliged, who acknowledge the God of *Abraham*. Beside these, we read not of any Law given by CHRIST, beside the institution of the Sacraments of *Baptisme*, and the *Eucharist*.

That these and the like forms, Repent, be baptized, keep the Commandements, are not Lawes.

IX. What may be said then of these kinde of Precepts, *Repent, Be Baptized, Keep the Commandements, Beleeve the Gospell, Come unto me, Sell all that thou hast, give to the poor, follow me, and the like?* We must say that they are not *Lawes*, but a calling of us to *the faith*; such as is that of *Isa. Come, buy wine, and milk without monie, and without Price*, Isai 55. vers. 1. neither if they come not, doe they therefore sinne against any Law, but against prudence onely; neither shall their *infidelity* be punisht, but their former sinnes. Wherefore Saint *John* saith of the unbeleever, *The wrath of God abideth on him*; he saith not, *The wrath of God shall come upon him*; And, *He that beleeveth not, is already judged*; he saith not, *shall be judged, but is already judged.* Nay it cannot be well conceived, that *remission of sinnes* should be a benefit arising from *faith*, unlesse we understand also on the other side, that the punishment of sinnes is an hurt proceeding from *infidelity*.

X. From

X. From hence, that our Saviour hath prescribed no distributive Lawes, to the Subjects of Princes, and Citizens of Cities, that is to say, hath given no rules whereby a Subject may know, and discerne what is *his owne*, what *another mans*, nor by what forms, words, or circumstances, a thing must be *given*, *delivered*, *invaded*, *possest*, that it may be known by Right to belong to the *Receiver*, *Invader*, or *Possessour*, we must necessarily understand that each single subject (not only with unbeleevers, among whom CHRIST himselfe denyed himselfe to be *a judge* and *distributer*, but even with Christians) must take those rules from his City, that is to say, from that Man, or Councell, which hath the supreme power; It followes therefore, that by those Lawes, *Thou shalt not kill*, *Thou shalt not commit adultery*, *Thou shalt not steale*, *Honour thy Father and Mother*, nothing else was commanded, but that Subjects, and Citizens, should absolutely obey their Princes in all questions concerning *Meum & Tuum*, *their own* and *others Right*; for by that Precept, *Thou shalt not kill*, all slaughter is not prohibited; for he that said, *Thou shalt not kill*, said also, *Whosoever doth work upon the Sabbath, shall be put to death*, Exod 35. vers. 2. No, nor yet all slaughter the cause not being heard; for he said, *Slay every man his Brother, and every man his Companion, and every man his Neighbour*, Exo. 32. v. 27. And there fell of the People about three thousand men, v. 28. Nor yet all slaughter of an innocent Person; for *Iephte* vowed, *Whosoever cometh forth*, &c. *I will offer him up for a burnt offering unto the Lord*;

It belongs to the civill authority to define what the sinne of injustice is.

Lord, Jud. 11. verſ. 31. and his vow was accepted of God. What then is forbidden? Onely this: that no man kill another, who hath not *a Right* to kill him, that is to ſay, that no man kill, unleſſe it belong to him to doe ſo. The Law of CHRIST therefore concerning killing, and conſequently all manner of hurt done to any man, and what penalties are to be ſet, commands us to obey the City only. In like manner, by that Precept, *Thou ſhalt not commit adultery*, all manner of Copulation is not forbidden, but only that of lying with *another mans wife*, but the judgment which is another mans wife, belongs to the City, and is to be determined by the rules which the City preſcribes: This precept therefore commands both male and female to keep that faith intire which they have mutually given, according to the ſtatutes of the City. So alſo by the precept, *Thou ſhalt not ſteal*, all manner of invaſion, or ſecret ſurreption is not forbidden, but of *another mans* only: The ſubject therefore is commanded this only, that he invade not, nor take away ought which the City prohibits to be invaded or taken away; and univerſally not to call any thing *murder*, *adultery*, or *theft*, but what is done contrary to the civill Lawes. Laſtly, ſeeing CHRIST hath commanded us to *honour our Parents*, and hath not preſcribed, with what Rites, what appellations, and what manner of obedience they are to be honoured, it is to be ſuppoſed that they are to be honoured with the will indeed, and inwardly, as Kings and Lords over their Children, but outwardly, not beyond

yond the Cities permiſſion, which ſhall aſſign *to every man* (as all things elſe, ſo alſo) *his honour*; But ſince the nature of juſtice conſiſts in this, that every Man have his own given him, its mauifeſt, that it alſo belongs to a Chriſtian City to determin what is juſtice, what injuſtice, or a ſinne againſt juſtice; Now what belongs to a City, that muſt be judg'd to belong to him or them who have the Soveraigne power of the City.

It belongs to civill authority to define what conduces to the Peace and ſafety of the City.

XI. Moreover, becauſe our Saviour hath not ſhewed Subjects any other Lawes for the government of a City beſide thoſe of nature, that is to ſay, beſide the Command of obedience, no Subject can privately determine who is a publique friend, who an enemy, when Warre, when Peace, when Truce is to be made, nor yet what Subjects, what authority, and of what men, are commodious, or prejudiciall to the ſafety of the Common-weale. Theſe, and all like matters therefore are to be learned, if need be, from the City, that is to ſay, from the Soneraign powers.

It belongs to the civill authority to judge (when need requires) what definitions and what inferences are true.

XII. Furthermore, all theſe things, to build Caſtles, Houſes, Temples; to move, carry, take away mighty weights; to ſend ſecurely over *Seas*; to contrive engines, ſerving for all manner of uſes; to be well acquainted with the face of the whole world, the Courſes of the Starres, the ſeaſons of the yeare, the accounts of the times, and the nature of all things; to underſtand perfectly all naturall and civill Rights; and all manner of of Sciences, which (comprehended under the Title of Philoſophy) are neceſſary

ceſſary partly to live, partly to live well; I ſay, the underſtanding of theſe (becauſe CHRIST hath not delivered it) is to be learnt from reaſoning, that is to ſay by making neceſſary conſequences, having firſt taken the beginning from experience; but mens reaſonings are ſometimes right, ſometimes wrong, and conſequently that which is concluded, and held for a truth, is ſometimes truth, ſometimes errour; now, errours even about theſe Philoſophicall points doe ſometimes publique hurt, and give occaſions of great ſeditions, and injuries: It is needfull therefore, as oft as any controverſie ariſeth in theſe matters contrary to publique good, and common Peace, that there be ſome body to judge of the reaſoning, that is to ſay, whether that which is inferred, be rightly inferred or not, that ſo the controverſie may be ended; But there are no rules given by CHRIST to this purpoſe, neither came he into the world to teach *Logick*. It remaines therefore that the Iudges of ſuch controverſies be the ſame with thoſe whom God by nature had inſtituted before, namely thoſe who in each City are conſtituted by the Soveraign. Moreover, if a controverſie be raiſed of the accurate and proper ſignification (*i.e.*) the definition of thoſe names or appellations which are commonly us'd, in ſo much as it is needfull for the peace of the City, or the diſtribution of right, to be determin'd, the determination will belong to the City; for men by reaſoning doe ſearch out ſuch kind of definitions in their obſervation of diverſe conceptions, for the ſignification whereof,

whereof, thoſe appellations were us'd at divers times, and for divers cauſes; but the deciſion of the queſtion whether a man doe reaſon rightly, belongs to the City. For Example. If a woman bring forth a Child of an unwonted ſhape, and the Law forbid to kill a man, the queſtion is, whether the Childe be a man. It is demanded therefore what a man is. No man doubts, but the City ſhall judge it, and that without taking an account of *Ariſtotles* definition, that man is a rationall Creature. And theſe things (namely *Right*, *Politie*, and *naturall Sciences*) are Subjects concerning which CHRIT denies that it belongs to his Office to give any Præcepts, or teach any thing, beſide this onely, that in all Controverſies about them, every ſingle Subject ſhould obey the Lawes, and determinations of his City. Yet muſt we remember this, that the ſame Chriſt as God could not onely have taught, but alſo commanded what he would.

It belongs to the Office of Chriſt to teach morality, not as a ſpeculation, but as a Law; to forgive ſins, and to teach all things whereof there is no ſcience properly ſo call'd.

XIII. The ſumme of our Saviours Office was to teach the way, and all the meanes of Salvation, and æternall life; but *Iuſtice* and *civill obedience*, and *obſervation* of all the *naturall* Lawes is one of the meanes to Salvation; now theſe may be taught two wayes; one, as *Theorems* by the way of naturall reaſon, by drawing Right and the natural Lawes from humane Principles, and contracts; and this Doctrine thus deliver'd is ſubject to the cenſure of civill powers: The other, as Lawes, by divine authority, in ſhewing the will of God to be ſuch; and thus to teach, belongs onely

onely to him to whom the Will of God is ſupernaturally knowne, that is to ſay, to *Chriſt*. Secondly, it belong'd to the Office of *Chriſt* to forgive ſinnes to the Penitent, for that was neceſſary for the Salvation of men who had already ſinn'd; neither could it be done by any other; for remiſſion of ſinnes followes not Repentance naturally, (as a Debt) but it depends (as a free gift) on the will of God ſupernaturally to be reveal'd. Thirdly, it belongs to the Office of Chriſt to teach all thoſe Commandements of God, whether concerning his worſhip, or thoſe points of faith which cannot be underſtood by naturall reaſon, but onely by revelation, of which nature are thoſe *that he was the Chriſt; that his Kingdome was not terreſtriall, but celeſtiall; that there are rewards, and puniſhments after this life; that the ſoule is immortall; that there ſhould be ſuch, and ſo many Sacraments*, and the like.

A diſtinction of things temporall from ſpirituall.

XIV. From what hath beene ſayed in the foregoing Chapter, it is not hard to diſtinguiſh betweene things *Spirituall*, and *Temporall*, for ſince by *Spirituall*, thoſe things are underſtood; which have their foundation on the authority, and Office of CHRIST, and unleſſe CHRIST had taught them, could not have beene known, and all other things are temporall, it followes, that the definition, and determination of whats *juſt*, and *unjuſt*, the cognizance of all controverſies about the *meanes of Peace*, and *publique defence*, and the Examiuation of doctrines, and books in all manner of *rationall ſcienee, depends upon the*

tem-

temporall Right, but those which are *mysteries of faith*, depending on CHRIT his word, and authority onely, their judgements belong to *spirituall Right*; But it is reasons inquisition, and pertaines to *temporall Right* to define what is *spirituall*, and what *temporall*, because our Saviour hath not made that distinction; For although Saint *Paul* in many places distinguish betweene *spirituall thiugs*, and *carnall* things, and calls those things *spirituall*, which are of the *spirit*, to wit, the *word of wisdome*, *the word of knowledge*, *faith*, *the gift of healing*, *the working of miracles*, *Propheſie*, *divers kindes of tongues*, *interpretation of tongues*, Rom. 8. 5. 1 Cor. 12. 8, 9. All supernaturally inspired by the *Holy Ghost*, and such as the carnall *man* understands not, but he only who hath known the mind of CHRIST, 2. *Cor.* 2. 14, 15, 16. And those things *carnall* which belong to worldly wealth, Rom. 15. 27. And the men *carnall men*, 1 Cor. 3. vers. 1, 2, 3. yet hath he not defined, nor given us any rules whereby we may know what proceeds from naturall reason, what from supernaturall inspiration.

XV. Seeing therefore it is plain that our Saviour hath committed to, or rather not taken away from *Princes*, aud those who in each City have obtained the Soveraignty, the supreme authority of judging & determineing al manner of cõtroverſies about *temporal matters*, we must see henceforth to whom he hath left the same authority in matters *spirituall*. Which because it cannot bee known, except it be out of *the word of God*, and *the Tradition of the Church*, we must en-

The word of God many wayes taken.

quire in the next place what *the word of God is*, what *to interpret it*, what a *Church* is, and what *the will and command of the Church*. To omit that the *word of God* is in Scripture taken sometimes for the *Sonne of God*, it is used, three manner of wayes; First, most properly for that which God hath spoken; Thus whatsoever God spake unto *Abraham*, the *Patriarchs*, *Moses*, and the *Prophets*, our Saviour to his Disciples, or any others, is *the word of God*. Secondly, whatsoever hath been uttered by men on the motion, or by Command of the Holy Ghost; in which sense we acknowledge the Scriptures to be the *word of God*. Thirdly, in the New Testament indeed the *word of God* most frequently signifies the Doctrine of the Gospell, or the *word concerning God*, or *the word of the Kingdome of God* by CHRIST: as where it is said that CHRIST preach't the *Gospell of the Kingdome*, Mat. 4. vers. 23. Where the *Apostles* are said to preach *the word of God*, Acts 13. vers. 46. Where the *word of God* is called *the word of life*, Acts 5. vers. 20. *The word of the Gospell*, Acts 15. vers. 7. *The word of faith*, Rom. 10. vers. 8. *The word of truth*, that is to say, (adding an interpretation) *The Gospel of salvation*, Eph. 1. 13. And where it is called *the word of the Apostles*; For Saint *Paul* sayes, *If any man obey not our word, &c.* 2. Thess. 3. vers. 14. which places cannot be otherwise meant then of *the doctrine Evangelicall*. In like manner where the word of God is said to be *sowen, to encrease*, and *to be multiplied*, Acts 12. vers. 24. and Chap. 13. vers. 49. it is very hard to

conceive

ceive this to be ſpoken of the *voyce of God*, or of his *Apoſtles*; but of their doctrine, eaſie. And in this third acception is all that *doctrine of the Chriſtian faith* which at this day is preacht in Pulpits, and contained in the books of divines, the *word of God*.

All things contained in Scripture, belong not to the Canon of chriſtian faith.

XVI. Now the ſacred Scripture is intirely the word of God in this ſecond acception, as being that which we acknowledge to be inſpired from God; and innumerable places of it, in the firſt: and ſeeing the greateſt part of it is converſant either in the prediction of the *Kingdome of Heaven*, or in prefigurations before the incarnation of CHRIST, or in Evangelization, and explication after, The ſacred Scripture is alſo *the word of God*, and therefore the *Canon* and Rule of all *Evangelicall Doctrine*, in this third ſignification, where *the word of God* is taken for *the word concerning God*, that is to ſay, for *the Goſpel*. But becauſe in the ſame Scriptures we read many things *Politicall*, *Hiſtoricall*, *Morall*, *Phyſicall*, and others which nothing at all concern the *Myſteyies of our faith*, thoſe places although they contain true doctrine, and are the Canon of ſuch kind of doctrines, yet can they not be the Canon of the Myſteries of Chriſtian Religion.

The word of a lawfull Interpreter of Scriptures, is the word of God.

XVII. And truly it is not the dead voyce, or letter of *the word of God*, which is the Canon of Chriſtian doctrine, but a true and genuine determination; For the minde is not governed by Scriptures, unleſſe they be underſtood. There is need therefore of an Interpreter to make the Scriptures Canon, and hence followes one of

theſe two things, that either the word of the Interpreter is the word of God, or that the Canon of Chriſtian doctrin is not the word of God: The laſt of theſe muſt neceſſarily be falſe; for the rule of that doctrine which cannot be knowne by any humane reaſon, but by divine revelation only, cannot be leſſe then divine; for whom we acknowledge not to be able to diſcern whether ſome doctrin be true or not, its impoſſible to account his opinion for a rule in the ſame doctrine. The firſt therefore is true, *That the word of an Interpreter of Scriptures, is the word of God.*

Tho authority of interpreting Scriptures, is the ſame with that of determining controverſies of faith.

XVIII. Now that Interpreter whoſe determination hath the honour to be held for *the word of God*, is not every one that tranſlates the Scriptures out of the *Hebrew*, and *Greek* tongue, to his Latine Auditors in Latine, to his French, in French, and to other Nations in their mother tongue; for this is not to interpret. For ſuch is the nature of ſpeech in generall, that although it deſerve the chiefe place among thoſe ſignes whereby we declare our conceptions to others, yet cannot it perform that office alone without the help of many circumſtances; For the living voice hath its interpreters preſent, to wit, time, place, countenance, geſture, the Counſell of the Speaker, and himſelfe unfolding his own meaning in other words as oft as need is. To recall theſe aids of interpretation, ſo much deſired in the writings of old time, is neither the part of an ordinary wit, nor yet of the quainteſt, without great learning, and very much skill in antiquity; It ſufficeth not therefore for interpretation of Scriptures, that a man underſtand

ſtand the language wherein they ſpeak. Neither is every one an authentique Interpreter of Scriptures, who writes Comments upon them: For men may erre, they may alſo either bend them to ſerve their own ambition, or even reſiſting, draw them into bondage by their foreſtallings; whence it will follow that an erroneous ſentence muſt be held for *the word of God*. But although this could not happen, yet as ſoon as theſe Commentators are departed, their Commentaries will need explications, and in proceſſe of time, thoſe explications, expoſitions; thoſe expoſitions new Commentaries without any end: ſo as there cannot in any written Interpretation whatſoeve be a Canon, or Rule of Chriſtian doctrine, whereby the Controverſies of Religion may be determined. It remains, that there muſt bee ſome Canonicall Interpreter whoſe legitimate Office it is to end Controverſies begun, by explaining the word of God in the judgements themſelves, and whoſe authority therefore muſt be no leſſe obeyed, then theirs who firſt recommended the Scripture it ſelfe to us for a Canon of faith; and that one, and the ſame Perſon be *an Interpreter of Scripture*, and a *ſupreme Judge* of all manner of *doctrines*.

Divers ſignifications of a Church.

XIX. What concerns the word *Eccleſia*, or Church, originally it ſignifies the ſame thing that *Concio*, or a congregation does in Latin; even as *Eccleſiaſtes*, or Church-man, the ſame that *concionator*, or Preacher, that is to ſay, He who ſpeaks to the Congregation: In which ſenſe wee read in the Acts of the Apoſtles, of a

Church *confused*, and of a *Lawfull Church*, Acts 19. vers. 32, 39. That, taken for a Concourse of people meeting in way of tumult; this, for a convocated Assembly. But in holy writ by a *Church of Christians*, is sometimes understood the Assembly, and sometimes the Christians themselves, although not actually assembled, if they be permitted to enter into the Congregation, and to communicate with them. For example. *Tell it to the Church*, Mat. 18. vers. 17. is meant of a Church assembled; for otherwise it is impossible to *tell* any thing to *the Church*: But *Hee laid waste the Church*, *Acts* 8. vers. 3. is understood of a Church not assembled. Sometimes a *Church* is taken for those who are baptized, or for the professors of the Christian faith, whether they be Christians inwardly, or feignedly, as when we reade of somewhat said or written to the Church, or said or decreed, or done by the *Church*; sometimes for the *Elect* onely, as when it is called holy, *and without blemish*, Ephes. 5. vers. 27. But the *Elect*, as they are militant, are not properly called a *Church*; for they know not how to assemble, but they are a *future Church*, namely in that day when sever'd from the reprobate, they shall bee triumphant. Againe a Church may bee sometimes taken (for all Christians collectively,) as when Christ is called the head of his *Church*, and the head of his body the *Church*, Eph. 5. vers. 23. Colos. 1. vers. 18. sometimes for it s parts, as the Church of *Ephesus*, *The Church which is in his house*, *the seven Churches*, *&c.* Lastly, a *Church* as it is

taken

taken for a Company actually assembled, according to the divers ends of their meeting, signifies sometimes those who are met together to deliberate, and judge, in which sense it is also called a Councell, & a Synod; sometimes those who meet together in the house of prayer to worship God, in which signification it is taken in the 1 Cor. 14. vers. 4, 5, 23. 28. &c.

What a Church is to whom we attribute Rights, actions, and the like appellations proper to a Person.

XX. Now a *Church* which hath *personall Rights*, and proper *actions* attributed to it, and of which that same must necessarily be understood, *Tell it to the church*, and, *he that obeys not the church*, and all such like formes of speech, is to be defin'd so, as by that word may be understood, A Multitude of men who have made a new Covenant with God in Christ, (that is to say, a multitude of them who have taken upon them the Sacrament of Baptisme) which multitude, may both lawfully be call'd together by some one into one place, and he so calling them, are bound to be present either in Person, or by others. For a multitude of men, if they cannot meet in assembly, when need requires, is not to be call'd *a Person*; For a *Church* can neither speak, nor discerne, nor heare, but as it is a congregation. Whatsoever is spoken by particular men, (to wit, as many opinions almost as heads) that's the speech of one man, not of the *Church*; farthermore, if an assembly be made, and it be unlawfull, it shall be considered as null. Not any one of these therefore who are present in a tumult shall be tyed to the decree of the rest, but specially if he dissent; and therefore

neither can ſuch a *Church* make any decree; for then a multitude is ſayd to decree ſomewhat, when every man is oblig'd by the decree of the major part. We muſt therefore grant to the definition of a *Church* (to whith we attribute *things belonging to a Perſon*) not onely a poſſibility of aſſembling, but alſo of doing it lawfully. Beſides, although there be ſome one who may lawfully call the reſt together, yet if they who are called may lawfully not appeare (which may happen among men who are not ſubject one to another) that ſame *Church is not one Perſon.* For by what Right they, who being call'd to a certaine time, and place, doe meet together, are *one Church*; by the ſame, others flocking to another place appointed by them, are *another Church.* And every number *of men of one opinion* is a *Church,* and by Conſequence there will be as many *Churches* as there are divers opinions, that is to ſay, the ſame *multitude* of men will at once prove to be *one,* and *many Churches.* Wherefore a *Church* is not one, except there be a certaine, and known, that is to ſay, a lawfull power, by meanes whereof every man may be oblig'd to be preſent in the Congregation, either himſelfe in perſon, or by Proxie; and that becomes *One,* and is capable of *perſonall* functions, by the union of a lawfull power of convocating Synods, and aſſemblies of Chriſtians; not by uniformity of Doctrine; and otherwiſe, it is a multitude; and *Perſons* in the plurall, howſoever agreeing in opinions.

A Chriſtian City is

XXI. It followes what hath beene already

already ſaid by neceſſary connexion, that *a City of Chriſtian men*, and a *Church*, is altogether the ſame thing, of the ſame men, term'd by two names, for two cauſes: For the *matter of a City* & a *Church* is one, to wit the ſame Chriſtian men. And the *forme* which conſiſts in a Lawfull power of aſſembling them is the ſame too; for 'tis manifeſt that every Subject is oblig'd to come thither, whither he is ſummon'd by his *City*. Now that which is call'd a *City*, as it is made up of *men*, the ſame, as it conſiſts of *Chriſtians*, is ſtyled a *Church*. *the ſame with a Chriſtian Church.*

XXII. This too is very cohærent with the ſame points, *If there be many Chriſtian Cities, they are not altogether perſonally one church*: they may indeed by mutuall conſent become one *Church*, but no otherwiſe, then as they muſt alſo become one City; For they cannot aſſemble but at ſome certaine time, and to ſome place appointed. But Perſons, places, and times, belong to civill Right, neither can any Subject or ſtranger lawfully ſet his foot on any place, but by the permiſſion of the City, which is Lord of the place. But the things which cannot lawfully be done but by the permiſſion of the City, thoſe, if they be lawfully done, are done by the Cities authority. The *Univerſall church* is indeed one *myſticall body*, whereof CHRIST is the head, but in the ſame manner, that all men together acknowledging God for the Ruler of the world, are one Kingdome, and one City, which notwithſtanding is neither *one Perſon*, nor hath it one common action, or determination. Farthermore where it is ſaid *Many Cities doe not conſtitute one church.*

ſaid that CHRIST *is the head of his body the Church*, it manifeſtly appeares, that that was ſpoken by the Apoſtle of the Elect, who as long as they are in this world, are a *Church* onely in *potentiâ*, but ſhall not actually be ſo before they be ſeparated from the reprobate, and gather'd together among themſelves, in the day of Judgement. The Church of *Rome* of old was very great, but ſhe went not beyond the bounds of her Empire, and therefore neither was ſhe *Univerſall*, unleſſe it were in that ſenſe, wherein it was alſo ſaid of the City of *Rome*, *Orbem jam totum victor Romanus habebat*, when as yet he had not the twentieth part of it. But after that the civill Empire was divided into parts, the ſingle Cities thence ariſing were ſo many Churches, and that power which the Church of *Rome* had over them, might perhaps wholy depend on the authority of thoſe Churches, who having caſt off the Emperours were yet content to admit the Doctours of *Rome*.

Who are Clergymen.

XXIII. They may be called *Churchmen* who exerciſe a publique office in the Church. But of offices there was one a *Miniſtery*, another a *Maiſtery*; The office of the *Miniſters* was to ſerve Tables, to take care of the temporall goods of the *Church*, and to diſtribute (at that time when all propriety of riches being aboliſht, they were fed in common) to each man his portion; The *Maiſters* according to their order, were called ſome *Apoſtles*, ſome *Biſhops*, ſome *Presbyters*, that is to ſay, *Elders*; yet not ſo, as that by the name of *Presbyter*, the

age,

age, but the *office* might be distinguisht; For *Timothy* was a *Presbyter* although a young man; but because for the most part the *Elders* were receiv'd into the *Maistership*, the word, denoting age, was us'd to signifie the office. The same *Maisters*, according to the diversity of their employments were called some of them *Apostles*, some *Prophets*, some *Evangelists*, some *Pastors* or *Teachers*. And the *Apostolicall* worke indeed was universall; the *Prophetticall* to declare their owne revelations in the *Church*; the *Evangelicall* to preach, or to be publishers of the *Gospell* among the infidels; that of the *Pastors* to teach, confirme, and rule the minds of those who already beleev'd.

XXIV. In the *Election of Church-men* two things are to be considered, the *Election* of the Persons, and their consecration, or institution, which also is called ordination. The first twelve *Apostles* CHRIST himselfe both *elected*, and *ordain'd*. After CHRISTS ascension *Matthias* was elected in the roome of *Judas* the Traitour, the Church (which at that time consisted of a Congregation of about one hundred and twenty men) *chosing two men*: And *they appointed two*, *Joseph* and *Matthias*; but God himselfe by lot approving of *Mathias*. And Saint *Paul* calls these *twelve the first, and great Apostles*, also the Apostles *of the Circumcision*. Afterward were added two other Apostles, *Paul*, and *Barnabas*, ordain'd indeed by the Doctours, and Prophets of the Church of *Antioch*, (which was *a particular* Church) by the imposition of

The Election of Church-men belongs to the Church, their consecration to the Pastors.

of hands, but elected by the command of the Holy Ghost. That they were both *Apostles* is manifest in the 13. of the *Acts v.* 2, 3. That they receiv'd their Apostleship from hence, namely because they were separated by command of the spirit for the work of God, from the rest of the Prophets, and Doctours of the Church of *Antioch*, Saint *Paul* himselfe shewes, who calls himselfe for distinctions sake *an Apostle separated unto the Gospell of God*, Rom. 1. ver. 1. But if it be demanded, further *by what authority* it came to passe that that was receiv'd for the command of the Holy Ghost, which those Prophets and Doctours did say proceeded from him, it must necessarily be answer'd; *by the Authority of the church of* Antioch: for the Prophets & Doctours must be examined by the Church before they be admitted; For Saint *John* saith, *Believe not every Spirit, but try the Spirits, whether they are of God, because many false Prophets are gone out into the world*; but by what Church, but that to which that Epistle was written? In like manner Saint *Paul* reprooves the Churches of *Galatia*, because they Judaized, *Gal.* 2. *v.* 14. although they seemed to doe so by the Authority of *Peter*, for when he had told them that he had reprehended *Peter* himselfe with these words, *If thou being a Iew, livest after the manner of Gentiles, and not as doe the Iewes, why compellest thou the Gentiles to live as doe the Iewes?* Not long after he questions them, saying, *This onely would I learne of you: Received ye the Spirit by the works of the Law, or by the hearing of faith?* *Gal.* 3. *ver.* 2. Where it is evident, that it

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was *Judaisme* which he reprehended the *Galathians* for, notwithstanding that the Apostle *Peter* compelled them to *Judaize*. Seeing therefore it belonged to the *Church*, and not to *Peter*, and therefore also not to any man, to determine what Doctors they should follow, it also pertained to the authority of *the Church* of *Antioch* to elect their Prophets and Doctors. Now because the Holy Ghost separated to himself the Apostles *Paul* & *Barnabas*, by the imposition of hands from Doctors thus elected, its manifest, *that imposition of hands, & consecration*, of the prime Doctors in each *Church*, belongs to the Doctors of the same *Church*. But *Bishops*, who were also called *Presbyters*, although all *Presbyters* were not Bishops, were ordain'd somtimes by *Apostles* (for *Paul* & *Barnabas* when they had taught in *Derbe*, *Lystra*, and *Iconium*, ordained *Elders* in every Church, *Acts* 14. v. 23.) sometimes by other Bishops, for *Titus* was by *Paul* left in *Crete*, that he should ordain *Elders* in every City, *Tit.* 1. v. 5. And *Timothy* was advised *not to neglect the gift that was in him, which was given him by Prophesy with the laying on of the hands of the Presbytery*, 1. Tim. 4. v. 14. And he had rules given him concerning the Election of *Presbyters*. But that cannot be understood otherwise, then of the ordination of those who were elected by the Church; for no man could constitute a Doctor in the Church, but by the Churches permission. For the duty of the *Apostles* themselves was not to command, but to teach; and although they who were recommended by the *Apostles*, or *Presbyters*, were not rejected, for the esteem that was had of

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the recommenders, yet seeing they could not be elected without *the will of the Church*, they were also suppos'd elected by *the authority of the Church*. In like manner Ministers, who are called *Deacons*, were ordained by the *Apostles*; yet *elected* by the Church; for when the seven *Deacons* were to bee elected, and ordained, the *Apostles* elected them not, but *look yee out*, (say they) *among you Brethren seven men of honest report*. &c. And they chose *Stephen*, &c. And they *set them before the Apostles*, Acts 6. vers. 13. 6. It is apparent therefore by the custome of the Primitive *Church* under the *Apostles*, that the *ordination*, or *consecration* of all Church-men, which is done by *prayer*, and *imposition of hands*, belonged to the *Apostles*, and *Doctors*; but the *Election* of those who were to be consecrated, *to the Church*.

The power of remitting sinnes to the penitent, and retaining those of the impenitent, belongs to the Pastors, but judgement of the repentance to the Church.

XXV. Concerning the power of *binding*, and *loosing*, that is to say of *remitting*, and *retaining* of sinnes, there is no doubt, but it was given by *Christ* to the *Pastors* then yet for to come, in the same manner as it was to the present *Apostles*: now the *Apostles* had all the power *of remitting of sins* given them, which Christ himselfe had; *As the Father hath sent me* (sayes Christ) *so send I you*, John 20. vers. 21. and he addes, *Whose soever sins yee remit, they are remitted, and whose soever sins ye retain, they are retained*. vers. 23. But what *binding* and *loosing*, or *remitting* and *retaining of sinnes*, is, admits of some scruple. For first, to *retain* his *sinnes* who being baptized into remission of sins, is truly penitent, seems to be against the very Covenant it selfe of the new Testa-

ment,

ment, and therefore could not be done by Christ himselfe, much lesse by his Pastors, and to *remit* the impenitent, seems to be against the will of God the Father, from whom Christ was sent to convert the world, and to reduce men unto obedience; Furthermore, if each Pastor had an authority granted him to *remit* and *retain* sinnes in this manner, all awe of *Princes*, and civill Magistrates, together with all kind of civill Government would be utterly destroyed. For Christ hath said it, nay even nature it selfe dictates, that *we should not feare them who slay the body, but cannot kill the soule, but rather feare him who can cast both soule and body into hell*, Mat. 10. vers. 28. Neither is any man so *mad* as not to choose to yeeld obedience rather to them who can *remit*, and *retain their sinnes*, then to the powerfullest Kings. Nor yet on the other side, it is to be imagined, that *remission of sinnes* is nothing else but an exemption from Ecclesiasticall punishments; for what evill hath excommunication in it, beside the eternall pains which are consequent to it? or what benefit is it to be received into the Church if there were salvation out of it? We must therefore hold, *That Pastors have power, truly, and absolutely to forgive sinnes, but, to the penitent, and to retain them, but, of the impenitent.* But while men think that to Repent, is nothing else but that every one condemn his Actions, and change those Counsels which to himselfe seem sinfull, and blameable, there is an opinion risen, that there may be repentance before any Confession of sinnes to men, and that repentance is not an effect,

fect, but a cauſe of Confeſſion, and thence, the difficulty of thoſe who ſay that the ſins of the penitent are already forgiven in Baptiſme, and theirs who repent not, cannot be forgiven at al, is againſt Scripture, and contrary to the words of *Chriſt*, *Whoſe ſoever ſins ye remit*, &c. We muſt therefore ro reſolve this difficulty know in the firſt place, that a true acknowledgement of ſin is Repentance, for he that knows he hath ſinned, knows he hath erred, but to will an errour is impoſſible, therefore he that knowes he hath ſinned, wiſhes he had not done it, which is to repent. Farther, where it may be doubtfull, whether that which is done be a ſin or not, we muſt conſider, that repentance doth not precede confeſſion of ſins, but is ſubſequent to it: for there is no repentance but of ſinnes acknowledged. The penitent therefore muſt both acknowledge the fact, and know it to be a ſinne, that is to ſay, againſt the Law. If a man therefore think, that what he hath done, is not againſt the Law; its impoſſible he ſhould repent of it. Before repentance therefore, its neceſſary there be an application of the facts unto the Law, but its in vain to apply the facts unto the Law without an Interpreter; for not the wotds of the Law, but the ſentence of the Law-giver is the rule of mens actions; but ſurely either one man, or ſome men are the Interpreters of the Law, for every man is not judge of his own fact whether it be a ſin or not, wherefore the fact of which we doubt whether it be a ſinne or not, muſt be unfolded before ſome man or men, and the doing of this is confeſſion. Now when the Interpreter of the

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Law hath judged the fact to bee a ſinne, if the ſinner ſubmit to his judgement, and reſolve with himſelfe not to do ſo any more, tis repentance; and thus, either it is not true repentance, or elſe it is not antecedent, but ſubſequent to confeſſion. Theſe things being thus explained, it is not hard to underſtand what kinde of power that of *binding* and *looſing* is; for ſeeing in remiſſion of ſinnes there are two things conſiderable, one the *Judgement* or *Condemnation* whereby the fact is judged to be a ſinne; the other, (when the Party condemned does acquieſce, and obey the ſentence, that is to ſay, Repents) *the remiſſion of the ſinne, or,* (if he repent not) *the Retention:* The firſt of theſe, that is to ſay, the Judging whether it be a ſinne or not, belongs *to the Interpreter of the Law,* that is, the *Soveraign Judge*; the ſecond, namely Remiſſion, or retention of the ſinne, *to the Paſtor*, and it is that concerning which the power *of binding* and *looſing* is converſant. And that this was the true meaning of our Saviour Chriſt in the inſtitution of the ſame power, is apparent in the 18. of *Mat.* verſ. 15, 16, 17, 18. thus, He there ſpeaking to his Diſciples, ſayes, *If thy Brother ſinne againſt thee, goe, and tell him his fault betweene thee and him alone,* (where we muſt obſerve by the way, that if thy Brother ſinne againſt thee, is the ſame with, if he doe thee injury; and therefore Chriſt ſpake of thoſe matters which belonged to the *civill Tribunall*) he addes, *if he heare thee not* (that is to ſay, if he deny that he hath done it, or if having confeſt the fact, he denies it to be unjuſtly done) take with

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with thee yet one or two, and if he refuse to heare them, tell it the Church. But why to the *Church*, except that she might judge whether it were a sinne or not? But if *he refuse to hear the Church*, that is, if he doe not submit to the *Churches* sentence, but shall maintain that to be no sin, which She Judges to be a sinne, that is to say, if he repent not (for certain it is that no man repents himselfe of that action which She conceives not to be a sinne) he saith not, *Tell it to the Apostles*, that we might know that the definirive sentence in the question, whether it were a sin or not, was not left unto them, but to the Church; *but let him be unto thee* (sayes he) *as an Heathen, or Publican*, that is, as one out of the *Church*, as one that is not baptized, that is to say, as one whose *sinnes are retained*. For all Christians were baptized into remission of sinnes. But because it might have been demanded who it was that had so great a power, as that of withholding the benefit of Baptisme from the impenitent, *Christ* shewes that the same Persons to whom he had given authority to baptize the penitent into the remission of sinns, and to make them of heathen men, Christians, had also authority to retain their sins who by the *Church should* be adjudged to be impenitent, and to make them of Christian men Heathens; and therefore presently subjoynes, *Verily I say unto you, Whose soever sinnes yee shall binde upon Earth, they shall bee bound also in Heaven, and whose soever sins yee shall loose upon Earth, they shall be looſed also in Heaven:* Whence we may understand, that the power of binding

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ing, and looſing, or of remitting, and retaining of ſinnes, which is called in another place, the power of the keyes, is not different from the power given in another place in theſe words, *Goe, and teach all Nations, Baptizing them in the Name of the Father, and of the Sonne, and of the Holy Ghoſt*, Mat. 28. ver. 19. And even as the Paſtours cannot refuſe to Baptize him whom the Church judges worthy, ſo neither can they retaine his ſinnes whom the Church holds fitting to be abſolv'd, nor yet remit his ſinnes whom the Church pronounceth diſobedient. And it is the Churches part to judge of the ſinne, the Paſtours, to caſt out, or to receive into the Church thoſe that are judg'd. Thus Saint *Paul* to the Church of *Corinth*, *Do not ye judge*, ſaith he, *of thoſe that are within?* Yet he himſelf pronounc't the ſentence of Excommunication againſt the inceſtuous Perſon, *I indeed* (ſaith he) *as abſent in body, but preſent in Spirit, &c.*

XXVI. The act of retaining ſinnes is that which is called by the Church *Excommunication*, and by Saint *Paul*, *delivering over to Satan*, the word *Excommunication*, ſounding the ſame with ἀποσυνάγωγον ποιεῖν, *caſting out of the Synagogue*, ſeems to be borrowed from the Moſaicall Law, wherein they who were by the Prieſt adjudged leprous, were commanded to be kept a part out of the Camp, untill by the judgement of the Prieſt they were againe pronounc't cleane, and by certaine rights (among which the waſhing of the body was one) were purified, *Levit.* 13. *ver.* 46. From hence in proceſſe of time it became a cuſtome

What excommunication is, and on whom it cannot paſſe.

cuſtome of the *Jewes*, not to receive thoſe who paſſed from *Gentiliſme* to *Judaiſme*, (ſuppoſing them to be uncleane) unleſſe they were firſt *waſhed*, and thoſe who diſſented from the Doctrine of the Synagogue, they caſt out of the Synagogue; By reſemblance of this cuſtome, thoſe that came to Chriſtianity, (whether they were *Jewes*, or *Gentiles*) were not receiv'd into the Church without Baptiſme; and thoſe that diſſented from the Church were depriv'd of the Churches Communion. Now, they were therefore ſaid *to be deliver'd over to Satan*, becauſe all that was out of the Church, was comprehended within his Kingdome The end of this kind of Diſcipline was, that being deſtitute for a time of the grace and ſpirituall priviledges of the Church, they might be humbled to ſalvation; but the effect in regard of ſecular matters, that *being excommunicated*, they ſhould not onely be prohibited all Congregations, or Churches, and the participation of the myſteries, but as heing contagious they ſhould be avoided by all other Chriſtians, even more then Heathen: for the Apoſtle allowed *to accompany with Heathen*, but with theſe *not ſo much as to eate*, 1 Cor. 5. *ver.* 10, 11. Seeing then the effect of *Excommunication* is ſuch, it is maniſeſt in the firſt place, that *a Chriſtian city cannot be excommunicated*, for a Chriſtian City is a Chriſtian Church, as hath been declar'd above in the 21. Art. and of the ſame extenſion; but a *Church* cannot be excommunicated; For either ſhe muſt excommunicate her ſelfe, which is impoſſible; or ſhe muſt *be excommunicated by*

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ſome other Church, and this, either *univerſall*, or *particular*. But ſeeing *an Univerſall Church* is no *Perſon*, (as hath been prov'd in the 22. Artic.) and therefore neither acts, nor does any thing, it cannot *excommunicate* any man; and a *particular church* by *excommunicating another Church* doth nothing; for where there is not one *common* Congregation, there cannot be any *Excommunication*. Neither if ſome one Church (ſuppoſe that of *Jeruſalem*) ſhould have *excommunicated* an other (ſuppoſe that of *Rome*) would it any more have *excommmnicated* this, then her ſelfe: for he that deprives another of his Communion, deprives himſelfe alſo of the Communion of that other. Secondly, *No man can excommunicate the ſubjects of any abſolute government all at once, or forbid them the uſe of their Temples, or their publique worſhip of God*; for they cannot *be excommunicated* by a *Church* which themſelves doe conſtitute; for if they could, there would not onely not remain a *Church*, but not ſo much as a *common-weale*, and they would be diſſolved of themſelves; and this were not *to be excommunicated*, or *prohibited*: but if they be *excommunicated* by ſome *other Church*, that *church* is to eſteem them as Heathen; but no *chriſtian Church* by the doctrine of *Chriſt*, can forbid the Heathen to gather together, and *Communicate* among themſelves, as it ſhall ſeem good to their Cities, eſpecially if they meet to worſhip *Chriſt*, although it be done in a ſingular cuſtome, and manner: therefore alſo not the *excommunicated*, who are to be dealt with as Heathen. Thirdly, *a Prince who hath the Soveraign power, cannot*

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be excommunicated; for by the doctrine of *Christ*, neither one, nor many subjects together can interdict their Prince any publique, or private places, or deny him entrance into any Assembly whatsoever, or prohibit him the doing of what hee will within his own jurisdiction; for it is Treason among all Cities, for any one, or many subjects joyntly to arrogate to themselves any authority over the whole City; but they who arrogate to themselves an authority over him who hath the supreme power of the City, doe arrogate the same authority over the City it selfe. Besides, a Soveraign Prince, if he be a Christian, hath this farther advantage, that the City whose Will is contained in His, is that very thing which we call a *Church*; the *Church* therefore excommunicates no man, but whom it *excommunicates* by the authrity of the Prince: but the Prince *excommunicates* not himselfe, his subjects therefore cannot doe it. It may be indeed that an Assembly of rebellious Citizens or Traytors, may pronounce the sentence of *excommunication* against their Prince, but not *by Right*. Much lesse can one Prince be *excommunicated* by another, for this would prove not an *excommunication*, but a provocation to Warre by the way of affront: For since that is not one *church* which is made up of Citizens belonging to two absolute Cities, for want of power of lawfully assembling them, (as hath been declar'd before in the 22. Art.) they who are of one Church are not bound to obey an other, and therefore cannot be *excommunicated* for their disobedience. Now, what

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ſome may ſay, that Princes, being they are members of *the Univerſall church*, may alſo by the authority of *the Univerſall church* be *excommunicated*, ſignifies nothing: becauſe *the Univerſall church* (as hath beene ſhewed in the 22. Art.) is not *one Perſon*, of whom it may be ſaid that *ſhee acted, decreed, determin'd, excommunicated, abſolv'd*, and the like perſonall attributes, neither hath ſhe any Governour upon Earth at whoſe command ſhe may aſſemble, and deliberate: For to be guide of *the Univerſall church*, and to have the power of aſſembling her, is the ſame thing as to be Governour, and Lord over all the Chriſtians in the world, which is granted to none, but God onely.

The interpretation of Scripture depends on the authority of the Cily.

XXVII. It hath beene ſhewed above in the 18. Art. that the authority of *interpreting the Holy Scriptures* conſiſted not in this, that the interpreter might without puniſhment, expound, and explicate his ſentence & opinion taken thence, unto others, either by writing, or by his owne voice; but, that others have a not Right to doe, or teach ought contrary to his ſentence; inſomuch as *the interpretation* we ſpeak of is the ſame with *the power* of defining in all manner of controverſies to be determined by ſacred Scriptures: Now we muſt ſhew that that power belongs to each Church, and depends on his, or their authority who have the Supreme command, provided that they be Chriſtians; for if it depend not on the civill authority, it muſt either depend on the opinion of each private Subject, or ſome forraigne authority; but among other reaſons, the inconveniencies that muſt

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follow private opinions cannot ſuffer its dependance on them; of which this is the chiefe, that not onely all civill obedience would be taken away (contrary to Chriſt his præcept) but all humane ſociety and peace would be diſſolved (contrary to the Lawes of nature;) for ſeeing every man is his owne interpretet of Scripture, that is to ſay, ſince every man makes himſelfe judge of what is pleaſing and diſpleaſing unto God, they cannot obey their Princes before that they have judg'd whether their commands be conformable to the Word of God, or not: And thus either they obey not, or they obey for their owne opinions ſake, that is to ſay, they obey themſelves, not their Soveraigne; civill obedience therefore is loſt. Againe, when every man followes his owne opinion, it's neceſſary that the controverſies which riſe among them will become innumerable, and indeterminable; whence there will breed among men (who by their own naturall inclinations doe account all diſſention an affront) firſt hatred, then brawles and warres, and thus all manner of peace and ſociety would vaniſh. We have farthermore for an example, that which God under the old Law required to be obſerved concerning the book of the Law, namely, that it ſhould be tranſcrib'd, and publiquely us'd, and he would have it to be the Canon of Divine doctrine, but the controverſies about it not to be determined by private Perſons, but onely by the Prieſts. Laſtly, it is our Saviours Precept, that if there be any matter of offence between private Perſons, they ſhould *hear the*

Church.

Church. Wherefore it is the *Churches* duty to define controverſies, it therefore belongs not to private men, but to the *Church*, to interpret Scriptures. But that we may know that the authority of *interpreting Gods Word*, that is to ſay, of determining all queſtions concerning God, and Religion, belongs not to any forraign Perſon whatſoever, we muſt conſider firſt what eſteem ſuch a power carries in the mindes of the ſubjects, and their civill actions: for no man can be ignorant that the voluntary actions of men by a naturall neceſſity, doe follow thoſe opinions which they have concerning good, and evill, Reward, and Puniſhment; whence it happens that neceſſarily they would chuſe rather to obey thoſe by whoſe judgement they beleeve that they ſhall be eternally happy, or miſerable. Now, by whoſe judgement it is appointed what Doctrines are neceſſary to ſalvation, by their judgement doe men expect their eternall bliſſe, or perditidition; they will therefore yeeld them obedience in all things. Which being thus, moſt manifeſt it is, that thoſe ſubjects who believe themſelves bound to acquieſce to a forraign authority in thoſe Doctrines which are neceſſary to ſalvation, doe not *per ſe* conſtitute a City, but are the ſubjects of that forraign power. Nor therefore although ſome Soveraign Prince ſhould by writing grant ſuch an authority to any other, yet ſo, as he would be underſtood to have retained the civill power in his own hands, ſhall ſuch a Writing be valid, or transferre ought neceſſary for the retaining, or good adminiſtration of his command; for by the

2. Chap. 4. artic. no man is said *to transferre his Right, unlesse he give some proper sign, declaring his Will to transferre it*; but he who hath openly declared his will to keep his Soveraignty, cannot have given a sufficient sign of transferring the means necessary for the keeping it. This kinde of Writing therefore will not be a sign of Will, but of Ignorance in the contractors. We must consider next how absurd it is for a City, or Soveraign, to commit the ruling of his Subjects consciences to an enemy; for they are, as hath been shewed above in the 5. Chap. 6. artic. in an hostile state, whosoever have not joyn'd themselves into the unity of one Person. Nor contradicts it this truth that they doe not alwayes fight: (for truces are made between enemies) It is sufficient for an hostile minde, that there is suspition, that the Frontiers of Cities, Kingdomes, Empires, strengthned with Garisons, doe with a fighting posture and countenance, though they strike not, yet as enemies mutually behold each other. Lastly, how unequall is it to demand that, which by the very reason of your demand, you confesse belongs to anothers Right? I am the Interpreter of Scriptures to you who are the Subject of anothers Realme. Why? By what Covenants past between you and me? By Divine authotity. Whence knowne? Out of holy Scripture. Behold the Book, read it; in vain, unlesse I may also interpret the same for my self; That interpretation therefore doth by Right belong to me, and the rest of my private fellow-subjects; which we both deny: It remains therefore that in

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all *christian Churches*, that is to say, in all *christian Cities*, the *interpretation of sacred* Scripture depend on, and derive from the authority of that man, or Councell, which hath the Soveraign power of the City.

A christian city must interpret Scriptures by clergymen.

XXVIII. Now because there are two kindes of controversies, the one about *spirituall matters*, that is to say, questions of faith, the truth whereof cannot be searcht into by naturall reason, such are the questions concerning *the nature*, and *office of Christ*, *of rewards and punishments to come*, *of the Sacraments*, *of outward worship*, and the like: the other, about questions of humane science, whose truth is sought out by naturall reason, and Syllogismes, drawne from the Covenants of men, and definitions (that is to say, significations received by use, and common consent of words) such as are all questions of Right, and Philosophy; for example, when in matter of Right its questioned whether there be *a Promise*, and *Covenant*, or not? that is nothing else, but to demand, whether such words spoken in such a manner be by common use, and consent of the Subjects, *a Promise or Covenant*; which if they be so called, then it is true that a Contract is made, if not, then it is false: that truth therefore depends on the compacts, and consents of men. In like manner when it is demanded in Philosophy whether the same thing may entirely be in divers places at once; the determination of the question depends on the knowledge of the common consent of men about the signification of the word *entire*: for if men when they say a thing is entirely somewhere,

where doe ſignifie by common conſent that they underſtand nothing of the ſame to be elſewhere, it is falſe that the ſame thing is in divers places at once: that truth therefore depends on the conſents of men, and by the ſame reaſon in all other queſtions concerning *Right*, *and Philoſophy*: And they who doe judge that any thing can be determin'd, (contrary to this common conſent of men concerning the appellations of things) out of obſcure places of Scripture, doe alſo judge that the uſe of ſpeech, and at once all humane ſociety, is to be taken away; for he who hath ſold an whole field, will ſay, he meant one whole ridge, and will retaine the reſt as unſold; nay, they take away reaſon it ſelfe, which is nothing elſe but a ſearching out of the truth made by ſuch conſent. Theſe kinde of queſtions therefore need not be determin'd by the City by way of interpretation of Scriptures, for they belong not to Gods *Word*, in that ſenſe wherein *the Word of God* is taken for the *Word concerning God*, that is to ſay, for the *Doctrine of the Goſpell*; neither is he who hath *the Soveraigne power in the Church*, oblig'd to employ any *Eccleſiaſtical Doctours* for the judging of any ſuch kind of matters as theſe; but for the deciding of queſtions of Faith, that is to ſay, *concerning God*, which tranſcend humane capacity, we ſtand in need of a divine bleſſing (that we may not be deceiv'd at leaſt in neceſſary points) to be deriv'd from CHRIST himſelfe by the impoſition of hands. For, ſeeing to the end we may attaine to æternal Salvation, we are oblig'd to a ſupernatural Doctrine, &

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which therefore it is impossible for us to understand, to be left so destitute, as that we can be deceiv'd in necessary points, is repugnant to æquity. This infallibility our Saviour *Christ* promis'd (in those things which are necessary to Salvation) to his *Apostles* untill the day of judgement; that is to say, *to the Apostles, and Pastors* succeeding the *Apostles* who were to be consecrated *by the imposition of hands.* He therefore who hath the Soveraigne power in the City, is oblig'd as a Christian, where there is any question concerning *the Mysteries of Faith,* to interpret the Holy Scriptutes by *Clergy-men* lawfully ordain'd. And thus in Christian Cities the judgement both of *spirituall* and *temporall matters* belongs unto the civill authority: And that man, or councell who hath the Supreme power, is head both of *the City,* and *of the Church*; for a *Church,* and *a Christian City* is but one thing.

Chap. XVIII.

Concerning those things which are necessary for our entrance into the Kingdome of Heaven.

I. *The difficulty propounded concerning the repugnancy of obeying God, and Men is to be remov'd by the distinction betweene the points necessary and not necessary to Salvation.* II. *All things*

neceſſary to Salvation are contain'd in Faith, and Obedience. III. *What kind of* Obedience *that is which is requir'd of us.* IV. *VVhat* Faith *is, and how diſtinguiſht from* profeſſion, *from* ſcience, *from* opinion. V. *VVhat it is to beleeve in* CHRIST. VI. *That that Article alone* THAT JESUS IS THE CHRIST, *is neceſſary to Salvation, is prov'd from the ſcope of the* Evangeliſts. VII. *From the preachings of the* Apoſtles. VIII. *From the eaſineſſe of Chriſtian Religion.* IX. *From this alſo, that it is the foundation of Faith.* X. *From the moſt evident words of* CHRIST *and* his Apoſtles. XI. *In that Article is contain'd the Faith of the Old Teſtament.* XII. *How* Faith, *and* Obedience *concur to Salvation.* XIII. *In a Chriſtian City there is no contradiction betweene the commands of God, and of the City.* XIV. *The Doctrines which this day are controverted about Religion doe for the moſt part relate to the Right of Dominion.*

I. It

I. IT was ever granted that all authority *in ſecular matters* deriv'd from him who had the Soveraigne power, whether he were one Man, or an Aſſembly of Men, that the ſame *in ſpiritnall matters* depended on the authority of the *Church*, is manifeſt by the next foregoing proofs; and beſides this, that all Chriſtian Cities are Churches endued with this kind of authority: From whence a man though but dull of apprehenſion may collect, that in *a Chriſtian City*, (that is to ſay, in a City whoſe Soveraignty belongs to a *Chriſtian Prince*, or Councell) *all power, as well ſpiritual, as ſecular, is united under Chriſt*, and therefore it is to be obey'd in all things; but on the other ſide, *becauſe we muſt rather obey God then Men*, there is a difficulty riſen, how obedience may ſafely be yeelded to them, if at any time ſomewhat ſhould be commanded by them to be done which CHRIST hath prohibited. The reaſon of this difficulty is, that ſeeing God no longer ſpeakes to us by CHRIST, and his *Prophets* in open voice, but by the holy Scriptures, which by divers men are diverſly underſtood, they know indeed what Princes, and a congregated Church doe command, but whether that which they doe command be contrary to the word of God, or not, this they know not, but with a wavering obedience between the puniſhments of temporall, and ſpirituall death, as it were ſailing betweene *Scilla* and *Carybdis*, they often run themſelves upon both: But they who rightly diſtinguiſh betweene the things neceſſary to Salvation, and thoſe which are not neceſſary, can have none of this kind of

The difficulty propounded concerning the repugnancy of obeying God, and men, is to be remov'd by the diſtinction betweene the points neceſſary, and not neceſſary to Salvation.

doubt, for if the command of the Prince, or City be such, that he can obey it without hazard of his æternall Salvation, it is unjust not to obey them, and the *Apostles* præcepts take place: *Servants in all things obey your Masters according to the flesh. Children obey your Parents in all things.* Col. 3. v. 20, 22. And the command of CHRIST, *The* Scribes *and* Pharisees *sit in* Moyses *chair, all things therefore whatsoever they command you, that observe, and doe.* Mat. 23. v. 2. On the contrary, if they command us to doe those things which are punisht with æternall death, it were madnesse not rather to chuse to dye a naturall death, then by obeying, to dye eternally; and then comes in that which CHRIST sayes, *Feare not them who kill the body, but cannot kill the Soule.* Mat. 10. v. 28. We must see therefore what all those things are, which are necessary to Salvation.

All things necessary to Salvation are contain'd in Faith, and Obedience.

II. Now all things *necessary* to Salvation are comprehended in two vertues, *Faith*, and *Obedience*: The latter of these if it could be perfect would alone suffice to preserve us from damnation; but because we have all of us beene long since guilty of disobedience against God in *Adam*, and besides we our selves have since actually sinned, *Obedience* is not sufficient without *remission of sinnes*; but this, together with our entrance into the Kingdome of Heaven is the reward of *Faith*, nothing else is requisite to Salvation; for the Kingdome of Heaven is shut to none but sinners, that is to say, those who have not perform'd due *Obedience* to the Lawes; and not to those neither, if they beleeve the necessary articles

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of the Christian Faith. Now, if we shall know in what points Obedience doth consist, and which are *the necessary articles of the Christian Faith*, it will at once be manifest what we must doe, and what abstaine from, at the commands of Cities, and of Princes.

III. But by *Obedience* in this place is signified not *the fact*, but the *Will* and *desire* wherewith we purpose, and endeavour as much as we can to obey for the future: in which sense the word *Obedience* is æquivalent to *Repentance*, for the vertue of repentance consists not in the sorrow which accompanies the remembrance of sinne; but in our conversion to the way, and full purpose to sinne no more, without which that sorrow is said to be the sorrow not of a Penitent but a desperate person: But because they who love God cannot but desire to obey the divine Law, and they who love their Neighbours cannot but desire to obey the morall Law, which consists as hath beene shewed above in the 3. Chapter, in the prohibition of *Pride*, *ingratitude*, *contumely*, *inhumanity*, *cruelty*, *injury*, and the like offences, whereby our Neighbours are prejudic't, therefore also *Love* or charity are æquivalent to *Obedience*. Justice also (which is a constant will of giving to every man his due) is æquivalent with it. But that *Faith and Repentance* are sufficient for Salvation, is manifest by the Covenant it selfe of Baptisme; for they who were by *Peter* converted on the day of *Pentecost*, demanding him what they should do? He answered, *Repent, and be Baptiz'd every one of you in the name of Jesus for the remission of your Sins.* Act. 2. v. 38. There was nothing therefore to

What kind of Obedience that is which is requir'd of us.

be done for the obtaining of Baptiſme, that is to ſay, for to enter into the Kingdome of God, but to *Repent, and belecve* in the Name of *JESUS*; For the Kingdome of Heaven is promis'd by the Covenant which is made in Baptiſme; farthermore, by the words of CHRIST anſwering the Lawyer who askt him what he ſhould doe to inherit eternall life, Thou knoweſt the the Commandements, *Thou ſhalt not Kill, Thou ſhalt not commit Adultery, &c.* which refer to Obedience; and, *Sell all that thou haſt, and come, and follow me,* which relates to faith, *Luke* 18. ver. 20. Mar. 10. ver. 18. And by that which is ſaid, *The juſt ſhall live by Faith,* (not every man, but the *juſt*) for *Juſtice* is the ſame diſpoſition of Will which *Repentance and Obedience are*; And by the words of Saint *Mark, The time is fulfilled, and the Kingdome of God is at hand, Repent yee, and belecve the Goſpell*, by which words is not obſcurely ſignified that thete is no need of other Vertues, for our entrance into the Kingdome of God, excepting thoſe of *Repentance and Faith*: The *Obedience* therefore which is *neceſſarily* requir'd to Salvation is nothing elſe but *the Will*, or *endeavour* to obey, that is to ſay, of doing according to the Lawes of God, that is the morall Lawes, which are the ſame to all men, and the civill Lawes, that is to ſay, the commands of Soveraignes in *temporall matters*, and the Eccleſiaſticall Lawes in *ſpirituall*; which two kinds of Lawes are divers in divers Cities, and Churches, and are knowne by their promulgation, and publique ſentences.

IV. That

IV. That we may understand what the *Christian Faith* is, we must define *Faith* in generall, and distinguish it from those other acts of the minde wherewith commonly it is confounded. *The object of Faith* universally taken, namely for *that which is beleev'd*, is evermore a *proposition*, (that is to say a speech affirmative, or negative) which we grant to be true: but because Propositions are granted for divers causes, it falls out, that these kind of concessions are diversly called: But we grant Propositions sometimes which notwithstanding we receive not into our mindes; and this either for a time, to wit, so long, till by consideration of the consequencies, we have well examin'd the truth of them, which we call *supposing*; or also simply, as through feare of the Lawes, which is *to professe*, or *confesse* by outward tokens; or for a voluntary compliance sake, which men use out of civility to those whom they respect, and for love of Peace to others, which is absolute *yeelding*: Now the Propositions which we receive for truth, we alwaies grant for some reasons of our owne, and these are deriv'd either from the *Proposition* it selfe, or from the *person propounding*; they are deriv'd from the *Proposition* it selfe, by calling to minde what things those words which make up the Proposition doe by common consent usually signifie: if so, then the assent which we give is called *knowledge*, or Science: but if we cannot remember what is certainly understood by those words, but sometimes one thing, sometimes another seeme to be apprehended by

What Faith is, and how distinguisht from profession, from science, and from opinion.

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us, then we are ſaid to *thinke*; for example, if it be propounded *that two and three makes five*; and by calling to minde the order of thoſe numerall words, that it is ſo appointed by the common conſent of them who are of the ſame language with us, (as it were by a certaine contract neceſſary for humane ſociety) that five ſhall be the name of ſo many unities as are contain'd in two and three taken together, a man aſſents, that this is therefore true becauſe two and three together, are the ſame with five. This aſſent ſhall be called knowledge, and to know this truth is nothing elſe but to acknowledge that it is made by our ſelves; For by whoſe will and rules of ſpeaking the number .. is called two, ... is called three, & ..... is called five, by their will alſo it comes to paſſe, that this Propoſitionis true, *Two* and *three* taken together makes *five*. In like manner if we remember what it is that is called *theft*, and what *injury*, we ſhall *underſtand* by the words themſelves, whether it be true that *theft is an injury*, or not. *Truth* is the ſame with a *true Propoſition*, but *the Propoſition is true* in which the *word conſequent*, which by *Logicians* is called *the prædicate*, embraceth the *word antecedent* in its amplitude, which they call *the Subject*, and to *know truth* is the ſame thing as *to remember* that it was made by our ſelves in the common uſe of words: Neither was it raſhly, or unadviſedly ſaid by *Plato* of old, *that knowledge was memory*: But it happens ſometimes that words although they have a certaine, and defin'd ſignification by conſtitution, yet by vulgar

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uſe either to adorne, or deceive, they are ſo wreſted from their owne ſignifications, that to remember the conceptions for which they were firſt impos'd on things is very hard, and not to be maiſtered but by a ſharpe judgement, and very great diligence. It happens too, that there are many words which have no proper, determin'd, and every where the ſame ſignification; and are underſtood not by their owne, but by vertue of other ſignes us'd together with them. Thirdly, there are ſome words of things unconceivable; of thoſe things therefore whereof they are the words, there is no conception; and therefore in vaine doe we ſeeke for the truth of thoſe Propoſitions, which they make out of the words themſelves: In theſe caſes, while by conſidering the definitions of words we ſearch out the truth of ſome propoſition, according to the hope we have of finding it, we thinke it ſometimes true, and ſometimes falſe; either of which apart is called *thinking*, and alſo *beleeving*; both together, *doubting*. But when our reaſons for which we aſſent to ſome Propoſition, derive not from the *Propoſition it ſelfe*, but from *the perſon Propounding*, whom we eſteeme ſo learned that he is not deceiv'd, and we ſee no reaſon why he ſhould deceive us, our aſſent, becauſe it growes not from any *confidence* of our owne, but from another mans knowledge, is called *Faith*: And by the confidence of whom, we doe beleeve, we are ſaid *to truſt them*, or to *truſt in them*. By what hath been ſaid, the difference appeares firſt betweene *Faith*, and *Profeſſion*; for that is alwaies

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joyn'd with inward assent, this not alwayes; That is an inward perswasion of the minde, this an outward obedience. Next, betweene *Faith*, and *Opinion*; for this depends on our owne reason, that on the good esteeme we have of another. Lastly betweene *Faith* and *Knowledge*; for this deliberately takes a proposition broken, and chewed; that swallowes downe whole and entire. The explication of words, whereby the matter enquir'd after is propounded, is conducible to knowledge; nay, the onely way *to know*, is by *definition:* but this is prejudiciall to *Faith*; for those things which exceede humane capacity, and are propounded to beleev'd, are never more evident by explication, but on the contrary more obscure, and harder to be credited. And the same thing befalls a man who endeavours to demonstrate *the mysteries of Faith* by naturall reason, which happens to a sick man, who will needs chew before he will swallow his wholsome, but bitter Pills, whence it comes to passe, that he presently brings them up againe, which perhaps would otherwise, if he had taken them well downe, have prov'd his remedy.

What it is to beleeve in Christ.

V. We have seene therefore what it is *to beleeve*. But what is it *to beleeve in* CHRIST? Or what Proposition is that which is the object of our Faith in CHRIST? For when we say, *I beleeve in* CHRIST, we signifie indeed Whom, but not What we beleeve. Now, *to beleeve in* CHRIST is nothing else but to beleeve that JESUS IS THE CHRIST, namely Hee, who according

ding to the Propheſies of *Moyſes, and the Prophets* of *Iſrael*, was to come into this world *to inſtitute the Kingdome of God*: And this ſufficiently appeares out of the words of CHRIST himſelfe to *Martha*: *I am* (ſaith he) *the Reſurrection and the life*, HE THAT BELEEVETH IN ME, *though he were dead, yet he ſhall live, and* WHOSOEVER LIVETH, AND BELEEVETH IN ME, *ſhall never dye. Beleeveſt thou this? She ſaith unto him, Yea Lord, I beleeve that* THOU ART THE CHRIST *the Son of God, which ſhould come into the world.* John 11. ver. 25, 26, 27. In which words we ſee that the queſtion BELEEVEST THOU IN ME? is expounded by the anſwer, THOU ART THE CHRIST. To beleeve in CHRIST therefore is nothing elſe but to beleeve JESUS HIMSELFE ſaying that he is THE CHRIST.

VI. *Faith* and *Obedience* both *neceſſarily concurring* to Salvation, what kinde of Obedience that ſame is, and to whom due, hath beene ſhewed above in the 3. Article: But now we muſt enquire what *articles of Faith* are requiſite: And (*) I ſay, that to a Chriſtian there is no other article of Faith requiſite as *neceſſary* to Salvatiou, but only this, THAT JESUS IS THE CHRIST. But we muſt diſtinguiſh (as we have already done before in the 4. Article) betweene *Faith*, and *Profeſſion*. *A Profeſſion* therefore of more articles (if they be commanded) may be *neceſſary*; for it is a part of our *obedience* due to the Lawes; but we enquire

That that *article alone, that Ieſus is the Chriſt, is neceſſary to Salvation, is prov'd out of the ſcope of the Evangeliſts.*

enquire not now what *Obedience*, but what *Faith* is *neceſſary* to ſalvation. And this is prov'd firſt out of the ſcope of the Evangeliſts which was by the deſcription of our Saviours life to eſtabliſh this one Article; and we ſhall know that ſuch was the ſcope, and counſell of the Evangeliſts, if we obſerve but the Hiſtory it ſelfe. Saint *Matthew* beginning at his Genealogy ſhewes that JESUS was of the linage of *David*, borne of a Virgin, *Chap.* 1. that He was adored by the *Wiſe men* as King of the *Jewes*; that *Herod* for the ſame cauſe ſought to ſlay him, *Chap.* 2. That his Kingdome was Preacht both by *John the Baptiſt*, and Himſelfe, *Chap.* 3, 4. That He taught the Lawes, not as the *Scribes*, but as one having authority, *Chap.* 5, 6, 7. That he cur'd diſeaſes miraculouſly, *Chap.* 8, 9. That He ſent his *Apoſtles* the Preachers of his Kingdome throughout all the parts of *Judea*, to proclame his Kingdome, *Chap.* 10. That He commanded the Meſſengers ſent from *John* to enquire whether he were the CHRIST or not, to tell him what they had ſeene, namely the miracles which were onely competible with CHRIST, *Chap.* 11. That he prov'd and declar'd his Kingdome to the *Phariſees*, and others by arguments, parables and ſignes, *Chap.* 12. and the following Chapters to the 21. That He maintain'd himſelfe to be the *Chriſt* againſt the *Phariſees*, That He was ſaluted with the title of King, when he entred into *Jeruſalem*, Chap. 21. That he forewarn'd others of *falſe Chriſts*, and That He ſhewed in Parables what manner of Kingdome

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his ſhould be, Chap. 22, 23, 24, 25. That He was taken, and accuſed for this reaſon, becauſe He ſaid He was a King; and that a Title was written on his Croſſe, THIS IS JESUS, THE KING OF THE JEWES, Chap. 26, 27. Laſtly, that after his reſurrection, He told his Apoſtles that all power was given unto Him both in Heaven, and in Earth, Chap. 28. All which tends to this end, That we ſhould beleeve Jeſus to be the Chriſt. Such therefore was the Scope of Saint *Matthew* in deſcribing his Goſpell; but ſuch as his was, ſuch alſo was the reſt of the Evangeliſts, which Saint *Iohn* ſets down expreſly in the end of his Goſpel, Theſe things (ſaith He) are written, that ye may know that Jeſus is the Chriſt, the Sonne of the living God. *Iohn* 29. verſ. 31.

I ſay, that to a Chriſtian.] *Although I conceive this aſſertion to be ſufficiently proved by the following reaſons, yet I thought it worth my labour to make a more ample explication of it, becauſe I perceive that being ſomewhat new, it may poſſibly be diſtaſtfull to many Divines. Firſt therefore when I ſay this Article*, That Jeſus is the Chriſt, *is neceſſary to ſalvation; I ſay not that Faith onely is neceſſary, but I require Juſtice alſo, or that Obedience which is due to the Lawes of God, that is to ſay, a Will to live righteouſly. Secondly, I deny not but the profeſſion of many Articles, (provided that that profeſſion be commanded by the Church) is alſo neceſſary to ſalvation; but ſeeing Faith is internall, Profeſſion externall, I ſay that the former onely is properly Faith; the latter a part of Obedience; inſomuch as that Article* Annotation

alone

alone sufficeth for inward beleefe, but is not sufficient for the outward profession of a Christian. Lastly, even as if I had said that true and inward Repentance of sinnes was onely necessary to salvation, yet were it not to be held for a Paradox, because we suppose Justice, Obedience, and a mind reformed in all manner of vertues to be contained in it: so when I say that the Faith of one Article is sufficient to salvation, it may well be lesse wondred at, seeing that in it so many other Articles are contained; for these words, Jesus is the Christ, do signifie that Jesus was that Person whom God had promised by his Prophets should come into the world to establish his Kingdom, that is to say, that Jesus is the Sonne of God, the Creatour of Heaven and Earth, born of a Virgin, dying for the sinnes of them who should beleeve in Him; that Hee was Christ, that is to say a King; that He reviv'd (for else He were not like to reign) to judge the world, and to reward every one according to his works, for otherwise he cannot be a King, also that men shall rise again, for otherwise they are not like to come to judgement. The whole Symbol of the Apostles is therefore contained in this one Article; which notwithstanding I thought reasonable to contract thus, because I found that many men for this alone, without the rest, were admitted into the Kingdome of God, both by Christ, and his Apostles; as the Thief on the Crosse, the Eunuch baptized by Philip, the two thousand men converted to the Church at once by Saint Peter. But if any man be displeased that I doe not judge all those eternally damned, who doe not inwardly assent to every Article defined by the Church (and yet doe not contradict, but if they be commanded, doe

submit

submit) I know not what I shall say to them; for the most evident Testimonies of Holy Writ which doe follow, doe withhold me from altering my opinion.

VII. Secondly, this is proved by the preaching of the Apostles. For they were the Proclamers of his Kingdome, neither did Christ send them to preach ought but the Kingdome of God, *Luke* 9. vers. 2. *Act.* 15. vers. 6. And what they did after Christ his Ascension may be understood by the accusation which was brought against them, *They drew* Jason (saith Saint *Luke*) *and certain Brethren unto the Rulers of the City, crying, These are the men that have turned the world upside down, and are come hither also, whom* Jason *hath received; and these all do contrary to the decrees of* Cæsar, *saying that there is another King, one Jesus.* Acts 17. vers 6, 7. It appears also what the subject of the Apostles Sermons was, out of these words: *Opening, and alleadging out of the Scriptures* (to wit, of the old Testament) *that Christ must needs have suffered, and risen again from the dead, and that* THIS JESUS IS THE CHRIST. *Acts* 17. vers. 2, 3. *By the Apostles Sermons.*

VIII. Thirdly, By the places in which the easinesse of those things which are required by Christ to the attaining of salvation, is declared. For if an internall assent of the minde were necessarily required to the truth of all and each Proposition which this day is controverted about the Christian Faith, or by divers Churches is diversly defined, there would be nothing more difficult then the Christian Religion; and how then would that be true, *My yoke is easie, and* *By the easinesse of christian Religion.*

and my burthen light? Mat. 11. verſ. 30. and *that litle ones doe beleeve in Him?* Mat. 18. verſ. 6. and that *it pleaſed God by the fooliſhneſſe of Preaching, to ſave thoſe that beleeve?* 1 Cor. 1. verſ. 21. or how was the thiefe hanging on the Croſſe ſufficiently inſtructed to ſalvation? The confeſſion of whoſe Faith was contained in theſe words, *Lord remember me when thou comeſt into thy Kingdome*; or how could Saint *Paul* himſelfe, from an enemy, ſo ſoon become a Doctor of Chriſtians?

By this, that it is the foundation of Faith.

IX. Fourthly, by this, that that Article is the foundation of Faith, neither reſts it on any other foundation. *If any man ſhall ſay unto you, Loe here is Chriſt, or He is there, beleeve it not, for there ſhall ariſe falſe Chriſts, and falſe Prophets, and ſhall ſhew great ſignes, and wonders, &c. Mat.* 24. verſ 23. Whence it followes, that for the Faiths ſake which we have in this Article, we muſt not beleeve any ſignes, and wonders. *Although we, or an Angell from Heaven* (ſaith the Apoſtle) *ſhould preach to you any other Goſpel, then what we have preacht, let him be accurſed.* Gal. 1 8. By reaſon of this Article therefore we might not truſt the very Apoſtles, and Angels themſelves (and therefore I conceive not the Church neither) if they ſhould teach the contrary. *Beloved, beleeve not every ſpirit, but try the ſpirits whether they are of God, becauſe many falſe Prophets are goue out into the world, hereby know yee the ſpirit of God, every ſpirit that confeſſeth Jeſus Chriſt is come in the fleſh, is of God*, &c. 1 John 4. verſ. 1, 2. That Article therefore is the meaſure of the Spitits whereby the authority

of

of the Doctors, is either received, or rejected. It cannot be denied indeed, but that all who at this day are Christians, did learn from the Doctors, that it was Jesus who did all those things whereby he might be acknowledged to be the Christ; yet it followes not that the same Persons beleeved that Article for the Doctors, or the Churches, but for Jesus his own sake; for that Article was before *the Christian Church*, although all the rest were after it, and the *Church* was founded upon it, not it upon *the Church*. Mat. 16. vers. 18. Besides, this Article, that *Jesus is the Christ*, is so fundamentall, that all the rest are by Saint *Paul* said to be built upon it, *For other foundation can no man lay, then that which is layd, which is Jesus Christ* (that is to say, that *Jesus is the Christ*) *now if any man build upon this foundation, gold, silver, precious stone, wood, hay, stubble; every mans work shall be made manifest; if any mans work abide which he hath built thereupon, he shall receive a reward; if any mans work shall be burnt, he shall suffer losse, but he himselfe shall be saved.* 1 Cor. 3 vers. 11, 12, 13. &c. From whence it plainly appears, that by foundation is understood this Article, THAT JESUS IS THE CHRIST: For gold, and silver, precious stones, wood, hay, stubble (whereby the Doctrines are signified) are not built upon the Person of *Christ*; and also, that false Doctrines may be raised upon this foundation, yet not so, as they must necessarily be damned who teach them.

By the plain words of Christ and his Apostles

X. Lastly, that this Article alone is needfull to he inwardly beleeved, may be most

moſt evidently proved out of many places of holy Scriptures, let who will be the *Interpreter: Search the Scriptures, for in them yee think yee have eternall life; and they are they which teſtify of me.* John 5. 39. But Chriſt meant the Scriptures of the old Teſtament only, for the new was then not yet written. Now, there is no other teſtimony concerning Chriſt in the old Teſtament, but that an eternall King was to come in ſuch a place, that He was to be born of ſuch Parents, that He was to teach, and doe ſuch things; whereby, as by certain ſignes, he was to be knowne: All which teſtify this one thing, that JESUS who was ſo born, and did teach, and doe ſuch things, was THE CHRIST. Other Faith then was not required to attain eternall life, beſides this Article. *Whoſoever liveth and beleeveth in me, ſhall never dye.* John 11. verſ. 25. But to beleeve in Jeſus (as is there expreſt) is the ſame with beleeving that JESUS WAS THE CHRIST; He therefore that beleeves that, ſhall never dye, and by conſequence, that Article alone is neceſſary to ſalvation. *Theſe are written that yee might beleeve that* JESUS IS THE CHRIST *the Sonne of God, and that beleeving yee might have life through his name.* Jo. 20. verſ. 31. Wherefore he that beleeves thus, ſhall have eternall life, and therefore needs no other Faith. *Every ſpirit that confeſſeth that Jeſus Chriſt is come in the fleſh, is of God.* 1 Jo. 4 v. 2. And *Whoſoever beleeveth that* JESUS IS THE CHRIST, *is born of God.* 1 Jo. 5. verſ. 1. And, *Who is he that overcometh the world, but he that beleeveth*

leeveth that IESUS *is the Son of God?* 1 Jo. v. 5. If therefore there be no need to beleeve any thing elſe, to the end a man may be *of God, born of God*, and *overcome the world*, then that *IESUS IS THE CHRIST*; that one Article then is ſufficient to ſalvation. *See, here is water, what doth hinder me to be baptized? And* Philip *ſaid, If thou beleeveſt with all thine heart, thou maiſt. And he anſwered and ſaid, I beleeve that* IESUS CHRIST *is the Sonne of God. Acts* 8. verſ. 36, 37. If then this Article being beleeved with the whole heart, (that is to ſay, with inward Faith) was ſufficient for Baptiſme, it is alſo ſufficient for ſalvation. Beſides theſe places there are innumerable others which doe clearly, and expreſly affirm the ſame thing. Nay, whereſoever wee read that our Saviour commended the Faith of any one, or that he ſaid, *Thy Faith hath ſaved thee*, or that he healed any one for his Faiths ſake, there the Propoſition beleeved was no other but this, *IESUS IS THE CHRIST*, either directly, or conſequently.

In this Article is contained the Faith of the old Teſtament.

XI. But becauſe no man can beleeve *IESUS TO BE THE CHRIST*, who, when he knowes that by *Chriſt* is underſtood that ſame King who was promiſed from God by *Moyſes*, and the Prophets, for to be the *King*, and *Saviour* of the world, doth not alſo beleeve *Moyſes*, and the *Prophets*, neither can he beleeve theſe, who beleeves not that *God is*, and that *he governs the world*; it is neceſſary that the Faith of God, and of the old Teſtament be contained in this Faith of the new. Seeing therefore

fore that Atheiſme, and the deniall of the Divine Providence, were the only treaſon againſt the Divine Majeſty in the Kingdome of God by Nature, but Idolatry alſo in the Kingdome of God by the Old Covenant; now in this Kingdome wherein God rules by way of a new Covenant, apoſtaſie is alſo added, or the renunciation of this article once receiv'd, that JESUS IS THE CHRIST: Truly other Doctrines, provided they have their determination from a lawfull Church, are not to be contradicted; for that is the ſinne of diſobedience, but it hath been fully declar'd before that they are not needfull to be beleev'd with an *inward Faith.*

How Faith and Obedience doe concur to Salvation.

XII. *Faith and Obedience* have divers parts in accompliſhing the ſalvation of a Chriſtian; for this contributes the *power*, or *capacity*, that the *Act*, and either is ſaid to juſtifie in its kinde. For *Chriſt* forgives not the ſins of all men, but of the *Penitent*, or the *Obedient*, that is to ſay the *juſt*, I ſay not the *guiltleſſe*, but the *juſt*; for *juſtice* is a Will of obeying the Lawes, and may be conſiſtent with a ſinner, and with Chriſt the Will to obey is Obedience; for not every man, but *the juſt ſhall live by Faith*: *Obedience* therefore *juſtifies* becauſe it *maketh juſt* in the ſame manner as *temperance* maketh *temperate*, *Prudence Prudent*: *Chaſtity chaſte*, namely eſſentially; and puts a man in ſuch a ſtate, as makes him capable of pardon. Againe, *Chriſt* hath not promis'd forgiveneſſe of ſinnes to all juſt men, but only *thoſe of them who beleeve Him to be the Chriſt*. *Faith* therefore *juſtifies* in ſuch a ſenſe as a judge may be ſaid *to juſtifie* who

abſolves

absolves, namely by the *sentence* which *actually* saves a man; And in this acception of justification (for it is an æquivocall terme) *Faith alone* justifies, but in the other, *Obedience onely*: but neither Obedience alone nor Faith alone doe *save* us, but both together.

XIII. By what hath been said hitherto, it will be easy to discerne what the duty of Christian Subjects is towards their Soveraignes, who as long as they professe themselves Christians cannot command their Subjects to deny Christ, or to offer him any contumely; for if they should command this, they would professe themselves to be no Christians: For seeing we have shewed both by naturall reason, and out of holy Scriptures, that Subjects ought in all things to obey their Princes and Governours, excepting those which are contrary to the command of God; and that the commands of God in a Christian City concerning *temporall affairs*, (that is to say, those which are to be discust by humane reason) are the Lawes and sentence of the City deliver'd from those who have receiv'd authority from the City to make Laws, and judge of controversies; but concerning spirituall matters, (that is to say those which are to be defin'd by the holy Scripture) are the Lawes, and sentences of the City, that is to say the Church (for a Christian City, and a Church (as hath beeen shewed in the foregoing Chapter in the 10. Art. are the same thing) deliv'rd by Pastors lawfully ordain'd, and who have to that end authority given them by the City; it ma-

In a Christian City there is no contrariety be weene the Command of God, and of the City.

nifeſtly followes, that in a Chriſtian Common-weale, Obedience is due to the Soveraign in all things, *as well Spirituall, as Temporall*, and that the ſame obedience even from a Chriſtian ſubject is due in all *temporall matters* to thoſe Princes who are no Chriſtians, is without any controverſie; but in *matters ſpirituall*, that is to ſay thoſe things which concern Gods worſhip, ſome *chriſtian Church* is to be followed; for it is an hypotheſis of the Chriſtian Faith, that God ſpeaks not in things ſupernaturall, but by the way of Chriſtian Interpreters of holy Scriptures. But what? Muſt we reſiſt Princes when we cannot obey them? Truly no; for this is contrary to our civill Covenant. What muſt we doe then? Goe to Chriſt by Martyrdome; which if it ſeem to any man to be an hard ſaying, moſt certain it is that he beleeves not with his whole heart *THAT IESUS IS THE CHRIST* the *Soune of the living God* (for he would then deſire to be diſsolved, and to be with Chriſt) but he would by a feigned Chriſtian Faith elude that obedience which he hath contracted to yeeld up unto the City.

The Doctrines which this day are controverted about Religion, doe for the moſt part belong to the Right of Dominion.

XIV. But ſome men perhaps will wonder, if, (excepting this one Article, that *IESUS IS THE CHRIST*, which only is neceſsary to ſalvation in relation to internall faith) all the reſt belong to obedience, which may be performed, although a man doe not inwardly beleeve, (ſo he doe but deſire to beleeve, and make an outward profeſsion, as oft as need requires, of whatſoever is propounded by the Church) how it comes about that there are ſo many Tenets

which

which are all held so to concern our Faith, that except a man doe inwardly beleeve them, He cannot enter into the Kingdome of Heaven: But if he consider that in most controversies the contention is about humane Soveraignty; in some, matter of gain, and profit; in others, the glory of Wits; he will surely wonder the lesse. The question about *the propriety of the Church*, is a question about the *Right of Soveraignty*; for, it being known what a *Church* is, it is known at once to whom the Rule over Christians doth belong: for if every Christian City be that Church which Christ himselfe hath commanded every Christiã subject to that city, to hear, then every subject is bound to obey his City, that is to say, Him, or them who have the supreme power, not only *in temporall* but also *in spirituall matters*; but if every Christian City be not that Church, then is there some other Church more universall, which must be obeyed. All Christians therefore must obey that Church just as they would obey Christ if He came upon Earth. She will therfore rule either by the way of Monarchy, or by some Assembly: This question then concerns the *Right of ruling*. To the same end belongs the question concerning *infallibility*; for whosoever were truly, and internally beleeved by all mankinde, that he could not erre, would be sure of all Dominion, as well *temporall* as *spirituall*, over all mankinde, unlesse himselfe would refute it; for if he say that he must be obeyed in *temporalls*, because it is supposed he cannot erre, that Right of Dominion is immediately granted him. Hither also tends the priviledge of

interpreting Scriptures. For he to whom it belongs to interpret the controverſies ariſing from the divers interpretations of Scriptures, hath authority alſo ſimply and abſolutely to determine all manner of controverſies whatſoever; but he who hath this, hath alſo the command over all men who acknowledge the Scriptures to be the Word of God. To this end drive all the diſputes about *the power of remitting, and retaining ſinnes*; or the *authority of excommunication*. For every man, if he be in his wits, will in all things yeeld that man an abſolute obedience, by vertue of whoſe ſentence he beleeves himſelfe to be either ſaved, or damned. Hither alſo tends the power of *inſtituting ſocieties*; for they depend on him by whom they ſubſiſt, who hath as many ſubjects as Monks, although living in an Enemies City. To this end alſo refers the queſtion concerning the *Iudge of lawfull Matrimony*; for he to whom that judicature belongs, to him alſo pertains the knowledge of all thoſe caſes which concern the inheritance, and ſucceſſion to all the goods, and Rights, not of private men onely, but alſo of Soveraign Princes. And hither alſo in ſome reſpect tends the *Virgin-life of Eccleſiaſticall Perſons*; for unmarried men have leſſe coherence then others with civill ſociety: and beſides, it is an inconvenience not to be ſlighted, that Princes muſt either neceſsarily forgoe the Prieſthood (which is a great bond of civill obedience) or have no hereditary Kingdome. To this end alſo tends the *canonization of Saints* which the Heathen called *Apotheoſis*; for he that can allure foraign

raign ſubjects with ſo great a reward, may bring thoſe who are greedy of ſuch glory to dare, and doe any thing. For what was it but an honourable Name with poſterity? which the *Decii* and other Romans ſought after, and a thouſand others who caſt themſelves upon incredible perils? The controverſies about *Purgatory*, and *indulgencies*, are matter of gain. The queſtions of *Free-will*, *Iuſtification*, and *the manner of receiving Chriſt in the Sacrament*, are Philoſophicall. There are alſo queſtions concerning ſome Rites not introduced, but left in the Church not ſufficiently purged from gentiliſme; but we need reckon no more. All the world knows that ſuch is the nature of men, that diſſenting in queſtions which concern their *power*, or *profit*, or *preeminence of Wit*, they ſlander, and curſe each other. It is not therefore to be wondred at, if almoſt all tenets (after men grew hot with diſputings) are held forth by ſome or other to be *neceſſary* to ſalvation, and for our entrance into the Kingdome of Heaven; inſomuch as they who hold them not, are not only condemned as guilty of diſobedience (which in truth they are after the Church hath once defined them) but of Infidelity, which I have declared above to be wrong out of many evident places of Scripture; to which I adde this one of Saint *Pauls*, *Let not him that eateth, deſpiſe him that eateth not, and let not him that eateth not, judge him that eateth; for God hath received him. One man eſteemeth one day above another, another eſteemeth every day alike. Let every man be fully perſwaded in his own mind*, Rom. 14. v. 3, 5.

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